

**FAIRFIELD CITY COUNCIL
REGULAR MEETING AGENDA
FAIRFIELD MUNICIPAL BUILDING
5350 PLEASANT AVENUE
FAIRFIELD, OHIO 45014**

MONDAY, APRIL 22, 2013

7:00 PM

MAYOR.....RONALD A. D'EPIFANIO
COUNCILMEMBER 1ST WARD.....ADAM B. JONES
COUNCILMEMBER 2ND WARD.....JEFFREY L. HOLTEGEL
COUNCILMEMBER 3RD WARD.....DEBBIE PENNINGTON
COUNCILMEMBER 4TH WARD.....TERRY SENGER

COUNCILMEMBER AT-LARGE...TIM ABBOTT
COUNCILMEMBER AT-LARGE...TIMOTHY M. MEYERS
COUNCILMEMBER AT-LARGE...MICHAEL OLER
CITY MANAGER.....ARTHUR E. PIZZANO
CLERK OF COUNCIL.....ALISHA WILSON
LAW DIRECTOR.....JOHN H. CLEMMONS

Guidelines for Citizen Comments: Thank you for your interest and participation in city government. Fairfield City Council's Guidelines for Citizen Comments describe the rules for addressing City Council. The guidelines are posted in the Council Chambers.

ADA Notice: The City of Fairfield is pleased to provide accommodations to disabled individuals or groups and encourage full participation in city government. Should special accommodations be required, please contact the Clerk of Council at 867-5383 at least 48 hours in advance of the meeting.

1. **Call to Order**
2. **Prayer/Pledge of Allegiance**
3. **Roll Call**
4. **Agenda Modifications**
5. **Executive Session Requests**
6. **Public Hearing(s)**
7. **Special Presentations and Citizen Comments**
 - a) Arbor Day Proclamation
8. **Mayor/Council Reports**
9. **Approval of Minutes**
 - a) Regular Meeting Minutes of April 8, 2013
10. **OLD BUSINESS**
 - (A) **DEVELOPMENT SERVICES COMMITTEE**
Jeff Holtegel, Chairman; Tim Abbott, Vice Chairman, Tim Meyers, Member
 - (1) Ordinance to amend various sections of the Zoning Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio.
 - Motion – Amend Ordinance
 - Ordinance – Third Reading
 - Motion – Adoption

11. NEW BUSINESS

(A) **COMMUNITY & PUBLIC RELATIONS COMMITTEE**

Debbie Pennington, Chairman; Jeff Holtegel, Vice Chairman, Adam Jones, Member

- (1) Simple Motion: Boards & Commissions Appointments appoint the following residents to serve on Fairfield's Boards & Commissions **effective April 1, 2013**:

- Thomas Nault, Environmental Commission, Term expires 03/31/2016
- Leslie Besl, Cultural Arts Advisory Commission, Term expires 03/31/2016

(B) **DEVELOPMENT SERVICES COMMITTEE**

Jeff Holtegel, Chairman; Tim Abbott, Vice Chairman, Tim Meyers, Member

- (1) Ordinance to amend various chapters of the Building Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio.

- Ordinance – First Reading

(C) **PUBLIC SAFETY COMMITTEE**

Mike Oler, Chairman; Debbie Pennington, Vice Chairman, Terry Senger, Member

- (1) Simple Motion: Motion to approve a liquor permit application in the name of MBS Gas, Inc., 5575 Dixie Highway, Fairfield, OH 45014 (Permit Classes: C1, C2 and D6).

(D) **PUBLIC WORKS COMMITTEE**

Tim Meyers, Chairman; Michael Oler, Vice Chairman, Tim Abbott, Member

- (1) Ordinance to authorize the City Manager to enter into a contract with Fuller Ford, Inc. for the purchase of two (2) trucks and one (1) Ford Focus and declaring an emergency.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

(E) **PUBLIC UTILITIES COMMITTEE**

Adam Jones, Chairman; Tim Meyers, Vice Chairman, Jeff Holtegel, Member

- (1) Ordinance to authorize the City Manager to enter into a contract with GRW Engineers, Inc. for professional engineering services related to the design of the Pleasant Avenue Water Main Project.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading

(F) **FINANCE & BUDGET COMMITTEE**

Tim Abbott, Chairman; Terry Senger, Vice Chairman, Mike Oler, Member

- (1) Appropriation Ordinance (Contractual Items) - \$86,887 for purchase of vehicles from Fuller Ford, Inc.; \$60,000 for engineering services related to the design of the Pleasant Avenue Water Main Project.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

- (2) Appropriation Ordinance (Non-Contractual Items) - \$9,475 for evidence drying cabinet for Police Department; \$7,400 for professional services for pressure washing Mack Road and part of Hunter Road water storage towers; \$13,600 for purchase of replacement UV lamps for Ultraviolet Disinfection System at Wastewater Treatment Plant; \$13,750 for purchase and installation of boiler tubes for Wastewater Treatment Plant's primary boiler; \$16,600 for purchase of chemicals to remove roots from public sewer lines; \$2,800 Flow Testing Services for water production wells; \$40,000 Engineering services for the Seward No. 1 Lift Station Relocation; \$15,000 Miscellaneous Traffic Signal Upgrades/Spare Parts; \$8,900 Purchase of a Z-Spray Intermediate 18 gallon Spray Tank, 220 lb. hydraulic spreader for the Golf Maintenance Division; \$13,600 Purchase of signs for William Harbin Park on Hunter Road.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

- (3) A Resolution opposing the Ohio General Assembly's Passage of House Bill 5, which would mandate measures resulting in the substantial loss of revenue to cities and declaring an emergency.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

12. Meeting Schedule

Monday, May 13	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Tuesday, May 28	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
<u>Summer Schedule</u>	
Monday, June 10	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

13. Executive Session of Council (if needed)

14. Adjournment

MINUTES
REGULAR MEETING OF COUNCIL
APRIL 8, 2013

Call to Order

Mayor Ronald A. D'Epifanio called the Regular Meeting of Council to order at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue.

Prayer/Pledge of Allegiance

Councilmember Jones led in prayer and Pledge of Allegiance.

Roll Call

Clerk Wilson called the roll of Council. Councilmember Holtegel, Councilmember Pennington, Councilmember Senger, Councilmember Oler, Councilmember Meyers, and Councilmember Jones.

Councilmember Meyers, seconded by Councilmember Oler, moved to excuse Councilmember Abbott. Motion carried 6-0.

Agenda Modifications

Executive Session Requests

Councilmember Pennington, seconded by Councilmember Holtegel, made a motion for Executive Session for employment and compensation of personnel. Motion carried 6-0.

Public Hearing(s)

Special Presentations and Citizen Comments

Mayor D'Epifanio presented District 51 State Representative Wes Retherford with several pictures and Fairfield memorabilia to decorate his office in Columbus. Rep. Retherford thanked Mayor and Council for their kindness and support.

Mayor/Council Reports

Councilmember Meyers reported that the brush truck from Public Works will be in operation again this year. Also, I-275/Gilmore Rd/Winton Rd project is on track for completion in July.

Councilmember Senger reported that the summer program kick-off at Huffman Park is on Saturday, April 20. The park is located at 2100 John Gray Road. The event includes free activities from 10 AM to 2 PM. More information is available on the city's website or by calling Parks and Recreation at 867-5348.

Mayor D'Epifanio reported that the Home Expo is Saturday, April 13 from 9 AM to 3 PM at the Community Arts Center.

Approval of Minutes

Regular Meeting Minutes of March 25, 2013

- The Regular Meeting Minutes of March 25, 2013 were approved as written.

OLD BUSINESS

DEVELOPMENT SERVICES COMMITTEE

Jeff Holtegel, Chairman; Tim Abbott, Vice Chairman, Tim Meyers, Member

Ordinance to amend various sections of the Zoning Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio.

Councilmember Holtegel deferred the amendment to the ordinance. He stated that there are a few more revisions necessary prior to the motion to amend. Legislative Action: Councilmember Holtegel presented the second reading of this ordinance.

NEW BUSINESS

COMMUNITY & PUBLIC RELATIONS COMMITTEE

Debbie Pennington, Chairman; Jeff Holtegel, Vice Chairman, Adam Jones, Member

Simple Motion: Boards & Commissions Appointments appoint the following residents to serve on Design Review Committee effective April 8, 2013:

Councilmember Pennington, seconded by Councilmember Holtegel, moved to approve the motion to appoint Zachery Ketring, northeast quadrant, to the Design Review Committee. His term will expire March 31, 2015. Motion carried 6-0. SIMPLE MOTION 7-13. APPROVED 6-0.

Simple Motion: Boards & Commissions Appointments appoint the following residents to serve on Charter Review Commission effective April 8, 2013:

Councilmember Pennington, seconded by Councilmember Holtegel, moved to approve the motion to appoint Andrew Bennett, second ward, to the Charter Review Commission. Motion carried 6-0. Councilmember Pennington recognized Mr. Bennett in the audience and thanked him for volunteering. SIMPLE MOTION 8-13. APPROVED 6-0.

PUBLIC SAFETY COMMITTEE

Mike Oler, Chairman; Debbie Pennington, Vice Chairman, Terry Senger, Member

Simple Motion: Motion to approve a liquor permit application in the name of Dev Rudra1, Inc. dba Fairfield Food Mart, 7157 Dixie Hwy., Fairfield, OH 45014 (Permit Classes: C1, C2 and D6).

Councilmember Oler, seconded by Councilmember Meyers, moved to approve a liquor permit in the name of Dev Rudra1, Inc. dba Fairfield Food Mart. Motion carried 6-0. SIMPLE MOTION 9-13. APPROVED 6-0.

FINANCE & BUDGET COMMITTEE

Tim Abbott, Chairman; Terry Senger, Vice Chairman, Mike Oler, Member

Councilmember Senger, seconded by Councilmember Meyers moved to read the following six (6) ordinances and one (1) resolution by title only. Motion Carried 6-0.

Ordinance to authorize the City Manager to enter into a contract with Audio Visual Impact for public communication services and declaring an emergency.

Background: City Manager Pizzano recommended a contract with Audio Visual Impact for public communication services. This company has provided services to the city for several years. The contract does include a fee increase, which is the first in five (5) years. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Senger, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Oler moved to adopt . Motion Carried 6-0. ORDINANCE NO. 30-13. APPROVED 6-0.

Resolution to approve and adopt the City of Fairfield 2013-2017 Capital Improvement Program.

Background: City Manager Pizzano recommended a resolution to accept the 2013-2017 Capital Improvement Plan and budget that were discussed two weeks ago during a Council-Manager Briefing. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Senger, seconded by Councilmember Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Meyers moved to adopt . Motion Carried 6-0. RESOLUTION NO. 4-13. APPROVED 6-0.

Ordinance to establish salaries and hourly rates for certain salaried hourly employees of the City of Fairfield, Ohio, and to authorize and limit the numbers and types of certain employees, to repeal ordinance no. 48-12 and all amendments thereto and declaring an emergency.

Background: City Manager Pizzano recommended a wage and salary ordinance, which is the next step in implementing the agreements with the unions that have been approved during the past several Council Meetings. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Senger, seconded by Councilmember Meyers moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Meyers moved to adopt . Motion Carried 6-0. ORDINANCE NO. 31-13. APPROVED 6-0.

Ordinance to establish salaries and hourly rates for certain Municipal Court employees of the City of Fairfield, Ohio, and to authorize and limit the numbers and types of certain Municipal Court employees, to repeal ordinance no. 47-12 and all amendments thereto and declaring an emergency.

Background: City Manager Pizzano recommended a wage and salary ordinance, which is the next step in implementing the agreements with the unions that have been approved during the past several Council Meetings. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Senger, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Oler moved to adopt . Motion Carried 6-0. ORDINANCE NO. 32-13. APPROVED 6-0.

Ordinance establishing salaries for certain exempt and salaried employees of the City of Fairfield, Ohio, to repeal ordinance no. 46-12 and all amendments thereto and declaring it an emergency.

Background: City Manager Pizzano recommended a wage and salary ordinance for salaried and exempt employees, to provide money for increases to non-union employees. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Senger, seconded by Councilmember Meyers moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Meyers moved to adopt . Motion Carried 6-0. ORDINANCE NO. 33-13. APPROVED 6-0.

Ordinance to authorize an amendment to the Employment Agreement of the City Manager.

Background: City Manager Pizzano recommended an amendment to the Employment Agreement of the City Manager, which provides for a 3% increase and some changes to the Deferred Comp. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Senger, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Oler moved to adopt . Motion Carried 6-0. ORDINANCE NO. 34-13. APPROVED 6-0.

Appropriation Ordinance (Non-Contractual Items) - \$27,830.00 for Winton Road Improvements, \$15,000.00 for various NPDES Phase II storm water system expenses, \$6,500.00 for technical specifications for Tunnel Cleaning for Nilles Road Bridge, \$24,200.00 for CDW-G Agreement.

Background: City Manager Pizzano recommended several non-contractual appropriations. The CDW-G Agreement is for the computer workstations for Council Chambers. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Senger, seconded by Councilmember Meyers moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Pennington moved to adopt . Motion Carried 6-0. ORDINANCE NO. 35-13. APPROVED 6-0.

Mayor D'Epifanio noted that the Volunteer Dinner is on April 25 at the Community Arts Center.

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- Monday, April 22 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, May 13 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Tuesday, May 28 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Executive Session of Council (if needed)

Council adjourned to Executive Session at 7:30 PM.

Adjournment

The Regular Meeting of Council adjourned at 8:15 PM.

ATTEST:

Clerk of Council

Date Approved _____

Mayor's Approval

Item No. 1114

City of Fairfield, Ohio
City Council Meeting Communication

Date 02-25-13

Item:

An ordinance modifying various chapters of the zoning code as part of the Fairfield Codified Ordinances.

Financial Impact:

There will not be a financial impact with this request.

Synopsis:

It is necessary from time to time to update various provisions of the code to address unclear items and to address issues that come before the Planning Commission and the Board of Zoning Appeals.

Background:

Code elements that are being reviewed include:

1. Modification of shed/yard barn requirements dealing with height, construction materials and when a permit is required
2. Review of temporary signage to allow, with regulation, the feather flags that are prevalent in other commercial shopping districts.
3. Modification of signage requirements for multi-family developments.
4. Use changes in the Downtown or D-1 zoning district with respect to motor vehicle service stations and motor vehicle fuel dispensing facilities

Recommendation:

It is recommended that City Council have first reading on this ordinance at the February 25th meeting and set the public hearing for Monday, March 11, 2013.

Legislative Actions: Rules Suspension and Adoption Requested?
Emergency Provision Needed?

No.
No.

Prepared by:

Timothy Beckman

Approved for Content by:

Timothy Beckman

Financial Review (where applicable)

May Ann

Legal Review (where applicable)

John A. Williams

Accepted for Council Agenda:

John A. Williams

ORDINANCE NO. _____

ORDINANCE TO AMEND VARIOUS SECTIONS OF THE ZONING CODE
OF ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF
FAIRFIELD, OHIO.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Various sections of the Zoning Code of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio are hereby amended to read as follows:

See attached Exhibit "A" which is incorporated herein by reference.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed _____

Mayor's Approval _____

Posted _____

First Reading _____

Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council

Exhibit "A"

Adding provision for the regulation of resin or plastic sheds in a residential zoning district, a height provision and a modification of the paved access requirement.

1143.06 ACCESSORY USES IN A OR R DISTRICTS AND ON PROPERTY USED FOR RESIDENTIAL PURPOSES IN ANY OTHER ZONING DISTRICT.

(a) Buildings and Parking Space. In any A or R District, and all property used for residential purposes in any other zoning district, accessory buildings or structures may be erected, detached from the principal building or may be erected as an integral part of the principal building, or may be connected therewith by a breezeway or similar structure. Except as provided in Section 1180.03, no accessory building shall be erected in any required yard or court, except a rear yard, and shall not occupy more area than thirty-five percent (35%) of the required rear yard. An accessory building or structure, if greater than ~~150~~ 100 square feet, shall not be made of metal, **RESIN OR COMPOSITE MATERIAL.** ~~and a~~ Accessory buildings or structures shall not exceed 500 square feet except on parcels zoned A-1 which are two acres or more in size. Accessory buildings and structures shall be distant at least six feet from any dwelling situated on the same lot, unless erected as an integral part thereof, and at least six feet from all lot lines or adjoining lots which are within any A or R District or are used for residential purposes. An accessory paved parking space may be located in any yard except a front yard. The accessory use area of a building or structure which is constructed both contemporaneously with and as an integral part of the original principal residence shall not be included in the calculation of allowable accessory building or structure area under this subsection. (Ord. 180-04. Passed 12-13-04.)

(b) Corner Lots. In any A or R District, where a corner lot adjoins in the rear a lot fronting on the side street, no part of an accessory building or structure on such corner shall be near a side street lot line than the least depth of the front yard required along such side street for a dwelling on such adjoining lot.

(c) Front Setback. No accessory use or structure in any A or R District, except an off-street parking area subject to the provisions of Chapter 1183, shall be permitted nearer to any front lot line than sixty feet, unless such use or structure is contained within, or connected by breezeway or similar structure to, the principal structure.

(d) Yard Requirements. Except as provided in Section 1180.03, an accessory building or structure, if not located in the rear yard, shall be erected as an integral part of, or connected by a breezeway or similar structure with, the principal building to which it is accessory, and shall be so placed as to meet all yard and court requirements for a principal building of the same height and other dimensions as such accessory building or structure.

(e) Without Main Buildings. In any A or R District, no accessory building or structure shall be erected or constructed prior to the erection or construction of the principal or main building.

(f) Paved Ingress and Egress. An accessory building or structure which has a door opening(s) greater than six feet in width ~~and any accessory paved parking space or spaces totaling more than 360 square feet on a lot~~ must have paved access in accordance with subsection 1183.05(c). (Ord. 30-00. Passed 3-13-00.)

(g) HEIGHT OF ACCESSORY BUILDING. IN NO CASE SHALL THE HEIGHT OF AN ACCESSORY BUILDING OR STRUCTURE EXCEED THE HEIGHT OF THE PRINCIPAL STRUCTURE THAT OCCUPIES THE SAME LOT OR PARCEL.

Amended Sign Definition and Flutter Flags as temporary signage

1187.02 General Requirements

(a) "Sign" means any name, identification, description, illustration, symbol, statue or device illuminated or nonilluminated which is visible from any public place or is located on private property and exposed to the public view from outside the property where located and which directs attention to a product, service, place, activity, person, institution, business or solicitation, or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, to include any landscaping wherein letters or numbers are used for the purpose of directing the public's attention to a product or location. For the purpose of removal, signs shall also include all sign structures. The entire translucent area of an internally illuminated or backlit awning, canopy or other exterior area of a building or an attachment to the building which is located outside of the enclosed building and is visible from any public street shall be included as a sign, whether or not it has lettering or other symbols or illustrations thereon.

The word "sign" does not include: a flag[;] ~~OR pennant[; insignia or temporary signs]~~ of any nation, state, city or other political unit; ~~[or of any educational, charitable, philanthropic, civic, professional, religious organizations or like campaign, drive, movement or event;]~~ commemorative plaques approved by Council; any name plate sign in residential areas or any board, sign or surface used to display any official notices issued or posted by any court or public officer in the performance of a public duty; window displays; signs within a stadium, shopping center, residential complex, arena or other use, which cannot be viewed from any public streets; any signs for control of traffic and other regulatory purposes, governmental identification **AND DIRECTIONAL signs, INCLUDING SIGNS FOR IDENTIFICATION AND LOCATION OF ENTRYWAYS AND PUBLIC FACILITIES AND EVENTS AND GEOGRAPHIC AREAS OF THE CITY**, street signs, warning signs, railroad crossing signs and signs of public service companies for the purpose of public safety. All signs excluded herein shall meet any applicable building or structural requirements.

The following are types of signs:

- (1) "Advertising signs" means billboard as defined herein.
- (2) "Banner" means a piece of cloth, canvas, plastic sheet or other pliable material.
- (3) "Billboard" means any sign painted on or affixed to any structure or erected as a freestanding sign, which advertises a person, product or service not located on the same parcel of record as the sign. This definition shall not include subdivision tract directional signs but does include poster panels.
- (4) "Business sign" means a sign which directs attention to a business commodity, service, industry or other activity which is sold, offered or conducted on the premises upon which such sign is located or to which it is affixed or which displays the identifying name and address of a future comparable business or industrial establishment.

(5) "Bulletin board" means a structure containing a surface upon which is displayed the name of a religious institution, school or library, auditorium, stadium, athletic field or area of similar use for the announcement of services or activities to be held therein or at some other place.

(6) "Cabinet sign" means a temporary/movable sign constructed with sign faces designed to install movable letters or characters and the sign faces are held by a frame. Cabinet signs include both illuminated or non-illuminated signs.

(7) "Canopy, awning or marquee" means a sign that is mounted on or painted on or attached to a canopy, awning or marquee.

(8) "Captive balloons" means an envelope of spherical or similar shaped gas proof fabric distended by the pressure of gas or air held internally.

(9) "Company logo flag" means a piece of cloth or canvas attached to a flagpole and used to designate a company logo.

(10) "Construction" means a sign indicating the names of architects, engineers, contractors, owners and similar persons involved in the design and construction of a structure or project.

(11) "Directional" means a sign without advertising, directing vehicular or pedestrian movement onto a premises.

(12) "Electronic message display sign" means a sign capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means, including graphics and/or video. This definition includes light emitting diode (LED) screens. These signs must be capable of utilizing at least three colors per pixel with color capability in excess of 32,000 colors.

(13) "Flashing" means a sign which contains or is illuminated by lights which are intermittently on and off, scintillate, move, change color, or appear to change color, change in intensity, or which create the illusion of flashing in any manner such as by rotating a light source.

(13.1) "FEATHER/FLUTTER FLAG" MEANS A SIGN WHICH IS GENERALLY DISPLAYED VERTICALLY, PRIMARILY SUPPORTED BY A ROD OR SUPPORTING FRAME ALONG ONE EDGE AND CONSTRUCTED OF A PIECE OF CLOTH, CANVAS, PLASTIC SHEET OR OTHER PLIABLE MATERIAL. THE FEATHER/FLUTTER FLAG MAY OR MAY NOT DISPLAY WORDS OR IMAGES.

(14) "Freestanding" means a sign suspended or supported by one or more uprights, braces, poles or other similar structural components when utilizing earth, rock, the ground or any foundation set in the ground as a primary holding base and not attached to or enclosed by any building.

(15) "Gateway" means a sign placed by the City on a thoroughfare within 1000 feet of the City limits noting the City boundary.

(16) "Good condition" means a sign that is maintained so as to be readable, structurally sound, mechanically working as it was designed, with no chipping, fading or other maladies and having an overall appearance similar to the original state.

(17) "Ground" means a sign placed upon a foundation, or a slab or placed upon or attached to an ornamental wall and not supported by any uprights, braces, poles or other similar structural components taller than three feet.

(18) "Illuminated" means a sign that is lighted by an artificial light source.

(19) "Moving" means any sign which in part or total, rotates, revolves, oscillates, tilts or otherwise is in motion at any time. This includes, indexing, multiprism units, whose speed exceeds one complete revolution in less than twenty seconds.

(20) "Nonconforming" means a sign which has been issued a valid permit at the time it was erected but does not now accord or comply with the requirements of this chapter and was made nonconforming by annexations, rezoning or ordinance amendment.

(21) "On-site or accessory" means business sign as defined herein.

(22) "Pennant" means a long, narrow, triangular or tapering cloth, canvas, plastic sheet or other pliable material.

(23) "Portable" means any sign which is not permanently affixed to the ground or a building in accordance with the provisions of the Building Code of the City or any sign which is intended to be moveable or capable of being moved from place to place, whether or not wheels or other special supports are provided. This definition includes searchlights, but excludes banners, pennants, streamers, captive balloons and company logo flags.

(24) "Poster panel" means an advertising structure on which posters are displayed. See Billboard.

(25) "Projecting" means a sign suspended from or supported by a building, structure or building column and extending horizontally therefrom, more than fifteen inches.

(26) "Property improvement sign" means a sign as defined in Section 1187.05(i).

(27) "Real estate" means a sign pertaining to the sale or lease of the lot or tract of land on which the sign is located or to the sale or lease of one or more structures or a portion thereof located on such lot or tract of land.

(28) "Roof" means any sign which is erected over the roof or parapet above the roof line and/or receives any or all of its support from the roof structure.

(29) "Special event sign" means a portable sign which is not internally lit or capable of being internally lit and does not exceed twenty-four square feet.

(30) "Streamer" means a series of banners, pennants or other shaped cloth, canvas, plastic sheet or other pliable material attached to a line such as a rope or wire. This definition includes tinsel.

(31) "Temporary" means a **FEATHER/FLUTTER FLAG**, banner, pennant, paper or cardboard sign, streamer, portable sign, or captive balloon which is affixed to or painted upon or represented directly or indirectly upon a building, structure or piece of land and which directs attention to an object, product, place, person, institution, organization or business.

(32) "Variable message reader board" means a permanent sign which is displayed in a series of monochromatic lights that can be changed electronically by remote or automatic means. No message, graphic, display or part thereof shall be visible for less than seven (7) seconds. The entire message shall be text only and shall not be traveling, scrolling, flashing, scintillating, animating or changing in color or light intensity or visibly changing in any other manner for the minimum seven (7) second interval.

(33) "Wall" means a sign which is affixed, painted on or attached to the wall of the building or other wall or structure and which extends not more than fifteen inches from the face of the fence or wall.

(34) "Warning" means any sign indicating danger or a situation which is potentially dangerous.

(35) "Window" means any sign printed, painted on, attached, glued or otherwise affixed to the interior side of a window and designed to be viewed from adjoining streets, walkways, malls or parking lots available for public use.

NO OTHER CHANGES UNTIL SECTION (i).

(i) Promotional Advertising. In addition to any other permitted signage and only in specifically authorized zoning districts, banners and special event signs may be permitted for a maximum of twelve periods in a calendar year not to exceed ten days each upon issuance of a temporary permit and payment of a fee, described in Section 1187.09 for each period, to the City of Fairfield, subject to the following limitations:

(1) A minimum of ten days between each ten day permit is required.

(2) Any permit issued in the same calendar year as provided in subsection (g) hereof shall count as one of the twelve ten day periods permitted herein.

(3) Only one banner or one special event sign can be used at a time.

(4) No banner shall exceed thirty square feet.

(5) No special event shall exceed twenty-four square feet (only one side counted to compute sign area) and is not to be reflective or illuminated. The sign must be designed with one color of lettering and one color background, however, a multi-colored corporate logo and color picture with inlaid text of any color(s) is permitted. The sign must be constructed as an "a-frame" or mounted via post to the ground. No cabinet signs are permitted to be used as special event signs. The maximum height of a special event sign is 6 feet.

(6) Lettering on banners must be silkscreened, stenciled, created with vinyl letters or sewn into the fabric or material. Banners are permitted only upon existing buildings, canopies, canopy supports and existing sign supports.

(7) Special event signs are to be manufactured, lettering is to be digitally printed, machine cut or vinyl press on letters. The lettering is not to be hand painted.

(8) Businesses which open during a calendar year shall be entitled to a proportionate amount of time for promotional signage based upon the portion of the calendar year remaining after the grand opening signage period and 30 day waiting period, if grand opening signage is used.

(9) **FEATHER/FLUTTER FLAGS ARE PERMITTED BUT MUST BE LIMITED TO TWO SUCH FLAGS PER BUSINESS, PLACED AT LEAST TWO (2) FEET OUT OF THE RIGHT-OF-WAY AND ADEQUATELY SECURED AND ANCHORED. THESE DEVICES ARE TO BE LOCATED NO CLOSER THAN 20 FEET FROM THE ROADWAY EDGE, CANNOT BE WIDER THAN THREE FEET AT THEIR WIDEST DIMENSION AND CANNOT EXTEND ANY HIGHER THAN 15 FEET FROM IMMEDIATE GRADE/PAVEMENT AT THE BASE.**

Removal of Motor Vehicle Service and Fuel Dispensing as principal permitted uses and making them Conditional Uses in the D-1 and D-1A zoning districts. NOTE: Changes in D-1 carry forward into the D-1A zoning district by reference.

1168.02 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses, except as provided in Chapter 1198.

(a) General. Any use permitted and as regulated in the C-1 District, except as modified herein and except that no residential uses are permitted.

(b) Retail and Service. Art and antique shops, artist supply stores, interior decorating shops, furniture and appliance stores, self-service laundries, dry cleaning shops, department stores, variety and dime stores, dry goods and apparel stores, laundry pick-up stores, supermarkets.

(c) Office. Business and/or professional offices; office buildings.

(d) Financial. Banks, savings and loans and other similar financial organizations with or without drive-through facilities. (Ord. 130-94. Passed 9-26-94.)

(e) Restaurants. Restaurants without drive-through facilities. (Ord. 30-00. Passed 3-13-00.)

(f) School and Studio. Trade or business schools provided machinery which is used for instruction purposes is not objectionable due to noise, fumes, smoke, odor or vibration; photographic studios, dancing studios, radio and telecasting studios and the like.

(g) Printing and Related Trade. Publishing, job printing, lithographing and blueprinting, etc.

(h) Clinic.

~~(i) Motor Vehicle Service. Motor vehicle service station, display, hire and sales subject to the provisions of Chapter 1189.~~

~~(j) Motor Vehicle Fuel Dispensing Facility.]~~
(Ord. 130-94. Passed 9-26-94.)

1168.03 CONDITIONAL USES.

The following uses shall be permitted only if expressly authorized by the Planning Commission.

(a) Restaurants. Restaurants as defined in Section 1133.01(70.1).

(b) Retail and Service. Any other retail business or service establishment or use which is determined by the Commission to be of the same general character as the above principal permitted uses, but not including any use which is first permitted or which is not permitted in the C-3 District.

(c) Veterinary Hospital or Clinic. Veterinary hospitals and clinics, excluding any outside kennels, cages, exercise runs or keeping of animals.

(d) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01(29) except bank drive-thru facilities which are a principal permitted use. This is defined as an operation where transfer of goods and services to the customer is designed to be done while the customer remains in the vehicle.

(e) Institutional. Schools and colleges for academic instruction and churches including church schools.

(f) Fruit and Vegetable Stores.

(g) Entertainment. Night clubs, game rooms, theaters, billiard parlors, bowling alleys, teen clubs, taverns and similar enterprises, but not within 100 feet of any R District and subject to all applicable regulations and such permits as may be required by law.(Ord. 130-94. Passed 9-26-94.)

(h) Wind Turbines. An alternative energy device designed to harness the natural wind currents to produce energy. (Ord. 98-10. Passed 11-8-10.)

(i) **MOTOR VEHICLE FUEL DISPENSING FACILITY.**

(j) **MOTOR VEHICLE SERVICE. MOTOR VEHICLE SERVICE STATION, DISPLAY, HIRE AND SALES SUBJECT TO THE PROVISIONS OF CHAPTER 1189.**

Modification of the M-2 lot setbacks incorporating the requirement of a twenty foot fire lane.

1173.07 LOT AREA FRONTAGE AND YARD REQUIREMENTS

The following minimum requirements shall be observed, except as otherwise provided in Sections 1180.03 and 1180.04.

(a) Nonresidential.

(1) Lot area. 10,000

(2) Lot frontage. None.

(3) Front yard depth. Thirty feet.

(4) Side yard depth. The minimum required side yard shall be six feet; however, a designated fire lane ~~[fifteen]~~ **TWENTY** feet wide **SHALL BE PROVIDED AT THE DISCRETION OF THE FIRE CHIEF OR HIS DESIGNEE AFTER REVIEW OF THE APPLICABLE FIRE CODE. [on one side of the building for interior lots.]** When adjoining an A or R District, the minimum required side yard shall be not less than fifty feet, of which ~~[fifteen]~~ **TWENTY** feet must be designated as a fire lane. A street side yard shall be a minimum of thirty feet, appropriately landscaped and maintained except for designated pedestrian, vehicular and utility accessways.

(5) Rear yard depth. A minimum rear yard of six feet is required. Fire separations for high hazard buildings shall be in accord with Chapter 69 Industrial Buildings of the Ohio Building Code. When adjoining an A or R District, the minimum required rear yard shall be not less than fifty feet.

(b) Screening and Buffering.

<u>Zone</u>	<u>Use</u>	<u>Buffering (Horizontal Dimension)</u>	<u>Screening (Vertical Screen Dimension)</u>
M-2	Industrial	30' adjoining R-3, R-4 40' adjoining R-0, R-1, R-2	6' adjoining A and R Districts

DEPARTMENTAL CORRESPONDENCE

City
of
Fairfield



TO Mayor D'Epifanio and City Councilmembers

FROM Scott Lepsky, Chairman, Planning Commission

SUBJECT PLANNING COMMISSION RECOMMENDATION

DATE 04/02/13

Please be advised at the Planning Commission meeting held on Wednesday, March 27, 2013, the Planning Commission voted 7 – 0 in favor of recommending approval of the proposed changes to Fairfield Codified Ordinances as outlined in the attached Exhibit "A".


Scott Lepsky, Chairman
Fairfield Planning Commission

plf

c: Arthur E. Pizzano, City Manager
Alisha Wilson, Clerk of Council
Timothy Bachman, Development Services Director
David Butsch, Public Works Director
Rick Helsinger, Supt., Bldg. Inspection & Zoning
John Clemmons, Law Director
Planning Commission Members (7)

Exhibit "A"

1143.06 ACCESSORY USES IN A OR R DISTRICTS AND ON PROPERTY USED FOR RESIDENTIAL PURPOSES IN ANY OTHER ZONING DISTRICT.

(a) Buildings and Parking Space. In any A or R District, and all property used for residential purposes in any other zoning district, accessory buildings or structures may be erected, detached from the principal building or may be erected as an integral part of the principal building, or may be connected therewith by a breezeway or similar structure. Except as provided in Section 1180.03, no accessory building shall be erected in any required yard or court, except a rear yard, and shall not occupy more area than thirty-five percent (35%) of the required rear yard. **THE EXTERIOR WALL SURFACE OF [A]an accessory building or structure, if greater than [150] 100 square feet, shall not be made of metal, RESIN, PLASTIC OR NON-FINISHED COMPOSITE MATERIAL. [and a]Accessory buildings or structures shall not exceed 500 square feet except on parcels zoned A-1 which are two acres or more in size. METAL ROOFS ARE NOT PERMITTED FOR ANY ACCESSORY STRUCTURE GREATER THAN 100 SQUARE FEET EXCEPT ON PARCELS ZONED A-1 WHICH ARE TWO ACRES OR MORE IN SIZE.** Accessory buildings and structures shall be distant at least six feet from any dwelling situated on the same lot, unless erected as an integral part thereof, and at least six feet from all lot lines or adjoining lots which are within any A or R District or are used for residential purposes. An accessory paved parking space may be located in any yard except a front yard. The accessory use area of a building or structure which is constructed both contemporaneously with and as an integral part of the original principal residence shall not be included in the calculation of allowable accessory building or structure area under this subsection. (Ord. 180-04. Passed 12-13-04.)

(b) Corner Lots. In any A or R District, where a corner lot adjoins in the rear a lot fronting on the side street, no part of an accessory building or structure on such corner shall be near a side street lot line than the least depth of the front yard required along such side street for a dwelling on such adjoining lot.

(c) Front Setback. No accessory use or structure in any A or R District, except an off-street parking area subject to the provisions of Chapter 1183, shall be permitted nearer to any front lot line than sixty feet, unless such use or structure is contained within, or connected by breezeway or similar structure to, the principal structure.

(d) Yard Requirements. Except as provided in Section 1180.03, an accessory building or structure, if not located in the rear yard, shall be erected as an integral part of, or connected by a breezeway or similar structure with, the principal building to which it is accessory, and shall be so placed as to meet all yard and court requirements for a principal building of the same height and other dimensions as such accessory building or structure.

(e) Without Main Buildings. In any A or R District, no accessory building or structure shall be erected or constructed prior to the erection or construction of the principal or main building.

(f) Paved Ingress and Egress. An accessory building or structure which has a door opening(s) greater than six feet in width [~~and any accessory paved parking space or spaces totaling more than 360 square feet on a lot~~] must have paved access in accordance with subsection 1183.05(c). (Ord. 30-00. Passed 3-13-00.)

(g) **HEIGHT OF ACCESSORY BUILDING. IN NO CASE SHALL THE HEIGHT OF AN ACCESSORY BUILDING OR STRUCTURE EXCEED THE HEIGHT OF THE PRINCIPAL STRUCTURE THAT OCCUPIES THE SAME LOT OR PARCEL EXCEPT ON PARCELS ZONED A-1 WHICH ARE TWO ACRES OR GREATER IN SIZE.**

1159.01 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses, except as provided in Chapter 1198.

- (a) General. Any use permitted and as regulated in the C-1 District, except as modified herein and except that no residential uses are permitted.
- (b) Retail and Service. Art and antique shops, artist supply stores, interior decorating shops, furniture and appliance stores, self-service laundries, dry cleaning shops, department stores, variety and dime stores, dry goods and apparel stores, laundry pick-up stores, supermarkets.
- (c) Office. Business and/or professional offices; office buildings.
- (d) Bank. Banks, savings and loans and other similar financial organizations with or without drive-through facilities.
- (e) Motor Vehicle Service. Motor vehicle service **[station] FACILITY.** ~~display, hire and sales subject to the provisions of Chapter 1189.~~
- (f) Restaurants and Fast Food Restaurants. Restaurants and fast food restaurants provided the principal building is distant not less than 100 feet from a principal structure in any A or R District. This subsection does not include drive-through facilities.
- (g) School and Studio. Trade or business schools provided machinery which is used for instruction purposes is not objectionable due to noise, fumes, smoke, odor or vibrations; photographic studios, dancing studios, radio and telecasting studios and the like.
- (h) Printing and Related Trade. Publishing, job printing, lithographing and blueprinting, etc.
- (i) Clinic.
- (j) Motor Vehicle Fuel Dispensing Facility.
(Ord. 155-92. Passed 12-14-92.)

1168.02 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses, except as provided in Chapter 1198.

- (a) General. Any use permitted and as regulated in the C-1 District, except as modified herein and except that no residential uses are permitted.
- (b) Retail and Service. Art and antique shops, artist supply stores, interior decorating shops, furniture and appliance stores, self-service laundries, dry cleaning shops, department stores, variety and dime stores, dry goods and apparel stores, laundry pick-up stores, supermarkets.
- (c) Office. Business and/or professional offices; office buildings.
- (d) Financial. Banks, savings and loans and other similar financial organizations with or without drive-through facilities. (Ord. 130-94. Passed 9-26-94.)

(e) Restaurants. Restaurants without drive-through facilities. (Ord. 30-00. Passed 3-13-00.)

(f) School and Studio. Trade or business schools provided machinery which is used for instruction purposes is not objectionable due to noise, fumes, smoke, odor or vibration; photographic studios, dancing studios, radio and telecasting studios and the like.

(g) Printing and Related Trade. Publishing, job printing, lithographing and blueprinting, etc.

(h) Clinic.

~~[(i) Motor Vehicle Service. Motor vehicle service station, display, hire and sales subject to the provisions of Chapter 1189.~~

~~[(j) Motor Vehicle Fuel Dispensing Facility.]~~

(Ord. 130-94. Passed 9-26-94.)

1168.03 CONDITIONAL USES.

The following uses shall be permitted only if expressly authorized by the Planning Commission.

(a) Restaurants. Restaurants as defined in Section 1133.01(70.1).

(b) Retail and Service. Any other retail business or service establishment or use which is determined by the Commission to be of the same general character as the above principal permitted uses, but not including any use which is first permitted or which is not permitted in the C-3 District.

(c) Veterinary Hospital or Clinic. Veterinary hospitals and clinics, excluding any outside kennels, cages, exercise runs or keeping of animals.

(d) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01(29) except bank drive-thru facilities which are a principal permitted use. This is defined as an operation where transfer of goods and services to the customer is designed to be done while the customer remains in the vehicle.

(e) Institutional. Schools and colleges for academic instruction and churches including church schools.

(f) Fruit and Vegetable Stores.

(g) Entertainment. Night clubs, game rooms, theaters, billiard parlors, bowling alleys, teen clubs, taverns and similar enterprises, but not within 100 feet of any R District and subject to all applicable regulations and such permits as may be required by law.(Ord. 130-94. Passed 9-26-94.)

(h) Wind Turbines. An alternative energy device designed to harness the natural wind currents to produce energy. (Ord. 98-10. Passed 11-8-10.)

(i) **MOTOR VEHICLE FUEL DISPENSING FACILITY.**

(j) **MOTOR VEHICLE SERVICE. MOTOR VEHICLE SERVICE FACILITY. [~~DISPLAY, HIRE AND SALES SUBJECT TO THE PROVISIONS OF CHAPTER 1189.~~]**

1173.07 LOT AREA FRONTAGE AND YARD REQUIREMENTS

The following minimum requirements shall be observed, except as otherwise provided in Sections 1180.03 and 1180.04.

(a) Nonresidential.

(1) Lot area. 10,000

(2) Lot frontage. None.

(3) Front yard depth. Thirty feet.

(4) Side yard depth. The minimum required side yard shall be six feet; however, a designated fire lane [~~fifteen~~] TWENTY feet wide **SHALL BE PROVIDED AT THE DISCRETION OF THE FIRE CHIEF OR HIS DESIGNEE AFTER REVIEW OF THE APPLICABLE FIRE CODE.** [~~on one side of the building for interior lots,~~] When adjoining an A or R District, the minimum required side yard shall be not less than fifty feet, of which [~~fifteen~~] TWENTY feet must be designated as a fire lane. A street side yard shall be a minimum of thirty feet, appropriately landscaped and maintained except for designated pedestrian, vehicular and utility accessways.

(5) Rear yard depth. A minimum rear yard of six feet is required. Fire separations for high hazard buildings shall be in accord with Chapter 69 Industrial Buildings of the Ohio Building Code. When adjoining an A or R District, the minimum required rear yard shall be not less than fifty feet.

(b) Screening and Buffering.

<u>Zone</u>	<u>Use</u>	<u>Buffering (Horizontal Dimension)</u>	<u>Screening (Vertical Screen Dimension)</u>
M-2	Industrial	30' adjoining R-3, R-4 40' adjoining R-0, R-1, R-2	6' adjoining A and R Districts

1187.02 General Requirements

(a) "Sign" means any name, identification, description, illustration, symbol, statue or device illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public view from outside the property where located and which directs attention to a product, service, place, activity, person, institution, business or solicitation, or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, to include any landscaping wherein letters or numbers are used for the purpose of directing the public's attention to a product or location. For the purpose of removal, signs shall also include all sign structures. The entire translucent area of an internally illuminated or backlit awning, canopy or other exterior area of a building or an attachment to the building which is located outside of the enclosed building and is visible from any public street shall be included as a sign, whether or not it has lettering or other symbols or illustrations thereon.

The word "sign" does not include: a flag[;] OR pennant[; ~~insignia or temporary signs~~] of any nation, state, city or other political unit; or of any educational, charitable, philanthropic, civic, professional, religious organizations or like campaign, drive, movement or event; commemorative plaques approved by Council; any name plate sign in residential areas or any board, sign or surface used to display any official notices issued or posted by any court or public officer in the performance of a public duty; window displays; signs within a stadium, shopping center, residential complex, arena or other use, which cannot be viewed from any public

streets; any signs for control of traffic and other regulatory purposes, governmental identification **AND DIRECTIONAL signs, INCLUDING SIGNS FOR IDENTIFICATION AND LOCATION OF ENTRYWAYS AND PUBLIC FACILITIES AND EVENTS AND GEOGRAPHIC AREAS OF THE CITY**, street signs, warning signs, railroad crossing signs and signs of public service companies for the purpose of public safety. All signs excluded herein shall meet any applicable building or structural requirements.

The following are types of signs:

(1) "Advertising signs" means billboard as defined herein.

(1.1) "AIR DANCER" AN INFLATABLE DEVICE CONSISTING OF A LONG TUBE-LIKE SLEEVE MADE OF FABRIC ATTACHED TO A POWERED FAN BLOWER, WHICH CAUSES THE TUBE TO MOVE IN A DANCING OR FLAILING MOTION.

(2) "Banner" means a piece of cloth, canvas, plastic sheet or other pliable material.

(3) "Billboard" means any sign painted on or affixed to any structure or erected as a freestanding sign, which advertises a person, product or service not located on the same parcel of record as the sign. This definition shall not include subdivision tract directional signs but does include poster panels.

(4) "Business sign" means a sign which directs attention to a business commodity, service, industry or other activity which is sold, offered or conducted on the premises upon which such sign is located or to which it is affixed or which displays the identifying name and address of a future comparable business or industrial establishment.

(5) "Bulletin board" means a structure containing a surface upon which is displayed the name of a religious institution, school or library, auditorium, stadium, athletic field or area of similar use for the announcement of services or activities to be held therein or at some other place.

(6) "Cabinet sign" means a temporary/movable sign constructed with sign faces designed to install movable letters or characters and the sign faces are held by a frame. Cabinet signs include both illuminated or non-illuminated signs.

(7) "Canopy, awning or marquee" means a sign that is mounted on or painted on or attached to a canopy, awning or marquee.

(8) "Captive balloons" means an envelope of spherical or similar shaped gas proof fabric distended by the pressure of gas or air held internally.

(9) "Company logo flag" means a piece of cloth or canvas attached to a flagpole and used to designate a company logo.

(10) "Construction" means a sign indicating the names of architects, engineers, contractors, owners and similar persons involved in the design and construction of a structure or project.

(11) "Directional" means a sign without advertising, directing vehicular or pedestrian movement onto a premises.

(12) "Electronic message display sign" means a sign capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means, including graphics and/or video. This definition includes light emitting

diode (LED) screens. These signs must be capable of utilizing at least three colors per pixel with color capability in excess of 32,000 colors.

(12.1) "FEATHER/FLUTTER FLAG" MEANS A SIGN WHICH IS GENERALLY DISPLAYED VERTICALLY, PRIMARILY SUPPORTED BY A ROD OR SUPPORTING FRAME ALONG ONE EDGE AND CONSTRUCTED OF A PIECE OF CLOTH, CANVAS, PLASTIC SHEET OR OTHER PLIABLE MATERIAL. THE FEATHER/FLUTTER FLAG MAY OR MAY NOT DISPLAY WORDS OR IMAGES.

(13) "Flashing" means a sign which contains or is illuminated by lights which are intermittently on and off, scintillate, move, change color, or appear to change color, change in intensity, or which create the illusion of flashing in any manner such as by rotating a light source.

(14) "Freestanding" means a sign suspended or supported by one or more uprights, braces, poles or other similar structural components when utilizing earth, rock, the ground or any foundation set in the ground as a primary holding base and not attached to or enclosed by any building.

(15) "Gateway" means a sign placed by the City on a thoroughfare within 1000 feet of the City limits noting the City boundary.

(16) "Good condition" means a sign that is maintained so as to be readable, structurally sound, mechanically working as it was designed, with no chipping, fading or other maladies and having an overall appearance similar to the original state.

(17) "Ground" means a sign placed upon a foundation, or a slab or placed upon or attached to an ornamental wall and not supported by any uprights, braces, poles or other similar structural components taller than three feet.

(18) "Illuminated" means a sign that is lighted by an artificial light source.

(19) "Moving" means any sign which in part or total, rotates, revolves, oscillates, tilts or otherwise is in motion at any time. This includes, indexing, multiprism units, whose speed exceeds one complete revolution in less than twenty seconds.

(20) "Nonconforming" means a sign which has been issued a valid permit at the time it was erected but does not now accord or comply with the requirements of this chapter and was made nonconforming by annexations, rezoning or ordinance amendment.

(21) "On-site or accessory" means business sign as defined herein.

(22) "Pennant" means a long, narrow, triangular or tapering cloth, canvas, plastic sheet or other pliable material.

(23) "Portable" means any sign which is not permanently affixed to the ground or a building in accordance with the provisions of the Building Code of the City or any sign which is intended to be moveable or capable of being moved from place to place, whether or not wheels or other special supports are provided. This definition includes searchlights, but excludes banners, pennants, streamers, captive balloons and company logo flags.

(24) "Poster panel" means an advertising structure on which posters are displayed. See Billboard.

(25) "Projecting" means a sign suspended from or supported by a building, structure or building column and extending horizontally therefrom, more than fifteen inches.

(26) "Property improvement sign" means a sign as defined in Section 1187.05(i).

(27) "Real estate" means a sign pertaining to the sale or lease of the lot or tract of land on which the sign is located or to the sale or lease of one or more structures or a portion thereof located on such lot or tract of land.

(28) "Roof" means any sign which is erected over the roof or parapet above the roof line and/or receives any or all of its support from the roof structure.

(29) "Special event sign" means a portable sign which is not internally lit or capable of being internally lit and does not exceed twenty-four square feet.

(30) "Streamer" means a series of banners, pennants or other shaped cloth, canvas, plastic sheet or other pliable material attached to a line such as a rope or wire. This definition includes tinsel.

(31) "Temporary" means a **FEATHER/FLUTTER FLAG**, banner, pennant, paper or cardboard sign, streamer, portable sign, or captive balloon which is affixed to or painted upon or represented directly or indirectly upon a building, structure or piece of land and which directs attention to an object, product, place, person, institution, organization or business.

(32) "Variable message reader board" means a permanent sign which is displayed in a series of monochromatic lights that can be changed electronically by remote or automatic means. No message, graphic, display or part thereof shall be visible for less than seven (7) seconds. The entire message shall be text only and shall not be traveling, scrolling, flashing, scintillating, animating or changing in color or light intensity or visibly changing in any other manner for the minimum seven (7) second interval.

(33) "Wall" means a sign which is affixed, painted on or attached to the wall of the building or other wall or structure and which extends not more than fifteen inches from the face of the fence or wall.

(34) "Warning" means any sign indicating danger or a situation which is potentially dangerous.

(35) "Window" means any sign printed, painted on, attached, glued or otherwise affixed to the interior side of a window and designed to be viewed from adjoining streets, walkways, malls or parking lots available for public use.

NO OTHER CHANGES UNTIL DEFINITION (63).

(63) "Motor vehicle service [~~station or filling station~~] **FACILITY**" means a place where [~~gasoline or other~~] **AUTOMOBILE SERVICE INCLUDING REMOVAL AND REPLACEMENT OF [motor-fuel,] lubricants, tires, batteries, accessories [and] OR** supplies, for operating [~~and~~] **OR** equipping motor vehicles [~~are sold at retail to~~] **ARE PERFORMED FOR** the public. [~~and deliveries are made directly into or onto motor vehicles, incidental battery, brake, muffler, and tire service, washing and polishing.~~]

(63.1) "Motor vehicle fuel dispensing facility" means a place where gasoline or [~~other motor fuel~~] **ALTERNATIVE FUEL/POWER/ENERGY** is sold at retail to the public and deliveries are made directly into or onto motor vehicles and no other motor vehicle service is performed. The sale of gasoline or other motor vehicle fuel, **ALTERNATIVE POWER/ENERGY** under this definition must be [~~an accessory~~] **THE PRIMARY** use. [~~to~~] **R[~~r~~etail grocery and/or convenience store sales ARE PERMITTED. [and must be of the**

~~self-service-sales-type.] Vending machines AND OUTDOOR RETAIL DISPLAY do not constitute retail sales under this definition UNLESS SPECIFICALLY APPROVED BY THE PLANNING COMMISSION. [All motor fuel tanks shall be underground and shall not exceed a total of 20,000 gallons for any one facility]~~

(g) Grand Openings. Banners, pennants, portable signs, streamers, captive balloons **AIR DANCERS**, and other temporary signs for grand openings are only permitted, subject to the issuance of a permit and payment of a fee, described in Section 1187.09, to the City of Fairfield under this section, all of the above may be authorized by the Building Superintendent or his/her designate for a period not to exceed sixty days for the purpose of a grand opening of a new business and to allow installation of permanent signs (change of ownership or management does not constitute a new business unless the business has been closed for at least sixty days). No flashing signs are permitted under this subsection. The size of portable signs shall be limited to a maximum of thirty-two square feet. After the grand opening, a 30 day waiting period is required before promotional signs as defined in Section 1187.03(i) will be permitted. **AIR DANCERS SHALL BE PLACED A MINIMUM 25 FEET FROM THE ROADWAY EDGE OF PAVEMENT AND AT NO TIME MAY BE PLACED IN THE RIGHT-OF-WAY.**

(h) Portable Signs. No portable signs **OR AIR DANCERS** shall be permitted except as provided in subsection (g) hereof.

(i) Promotional Advertising. In addition to any other permitted signage and only in specifically authorized zoning districts, banners and special event signs may be permitted for a maximum of twelve periods in a calendar year not to exceed ten days each upon issuance of a temporary permit and payment of a fee, described in Section 1187.09 for each period, to the City of Fairfield, subject to the following limitations:

- (1) A minimum of ten days between each ten day permit is required.
- (2) Any permit issued in the same calendar year as provided in subsection (g) hereof shall count as one of the twelve ten day periods permitted herein.
- (3) Only one banner or one special event sign can be used at a time.
- (4) No banner shall exceed thirty square feet.
- (5) No special event shall exceed twenty-four square feet (only one side counted to compute sign area) and is not to be reflective or illuminated. The sign must be designed with one color of lettering and one color background, however, a multi-colored corporate logo and color picture with inlaid text of any color(s) is permitted. The sign must be constructed as an "a-frame" or mounted via post to the ground. No cabinet signs are permitted to be used as special event signs. The maximum height of a special event sign is 6 feet.
- (6) Lettering on banners must be silkscreened, stenciled, created with vinyl letters or sewn into the fabric or material. Banners are permitted only upon existing buildings, canopies, canopy supports and existing sign supports.
- (7) Special event signs are to be manufactured, lettering is to be digitally printed, machine cut or vinyl press on letters. The lettering is not to be hand painted.
- (8) Businesses which open during a calendar year shall be entitled to a proportionate amount of time for promotional signage based upon the portion of the

calendar year remaining after the grand opening signage period and 30 day waiting period, if grand opening signage is used.

(9) FEATHER/FLUTTER FLAGS ARE PERMITTED BUT MUST BE LIMITED TO TWO SUCH FLAGS PER BUSINESS, PLACED AT LEAST TWO (2) FEET OUT OF THE RIGHT-OF-WAY AND ADEQUATELY SECURED AND ANCHORED. THESE DEVICES ARE TO BE LOCATED NO CLOSER THAN 20 FEET FROM THE ROADWAY EDGE, CANNOT BE WIDER THAN THREE FEET AT THEIR WIDEST DIMENSION AND CANNOT EXTEND ANY HIGHER THAN 15 FEET FROM IMMEDIATE GRADE/PAVEMENT AT THE BASE.

1189.01 ENTRANCE; DISTANCE REQUIREMENTS.

No motor vehicle service **[station] FACILITY**, parking lot for twenty-five or more motor vehicles or parking garage or motor vehicle repair shop, shall have an entrance or exit for vehicles within 200 feet along the same side of a street of any school, public playground, church, hospital, public library or institution for dependents or for children, except where such property is in another block or on another street which the lot in question does not abut. (Ord. 94-84. Passed 7-9-84.)

1199.06 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.

For the purposes of these regulations, the following studies and/or maps are adopted:

(a) Flood Insurance Rate Map, **BUTLER COUNTY, OHIO AND INCORPORATED AREAS AND FLOOD INSURANCE STUDY BUTLER COUNTY, OHIO AND INCORPORATED AREAS, BOTH AS THEY PERTAIN TO PROPERTIES WITHIN THE CORPORATE LIMITS OF FAIRFIELD, OHIO** [~~Panels 284, 302, 303, 304, 306, 307, 308, 309, 315, 316, 317, 326, 328 and 336~~] effective December 17, 2010.

(b) Other studies and/or maps, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard.

(c) Any hydrologic and hydraulic engineering analysis authored by a registered professional engineer in the State of Ohio which has been approved by the City of Fairfield as required by Section 1199.26 Subdivisions and Large Developments. Any revisions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at the Fairfield Municipal Building, 5350 Pleasant Avenue, Fairfield, Ohio 45014.

(Ord. 98-10. Passed 11-8-10.)

CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION

Item No. 11(A)(1)

April 22, 2013

Item

Appointment of members to Fairfield's boards and commissions.

Financial Impact

None

Synopsis/Background

Each year on March 31, positions become available on Fairfield's various boards and commissions due to expiring terms of office. Advertising for the March 31 vacancies began on January 1, 2013 and concluded on February 15, 2013. The members of the Parks & Recreation Board interviewed applicants on April 9, 2013 for seats on the Cultural Arts Advisory Commission and the Environmental Commission. Based upon the recommendations of the Parks and Recreation Board, City Council has selected the following residents to serve on these two commissions for terms as listed below.

Recommendation

It is recommended that City Council, via simple motion, appoint the following residents to serve on the various boards and commissions **retroactive to April 1, 2013**:

Thomas Nault – Environmental Commission (Term expiring 3/31/2016)
Leslie Besl - Cultural Arts Advisory Commission (Term expiring 3/31/2016)

LEGISLATIVE ACTION:

SIMPLE MOTION

Prepared by: Alison Wilson
Approved for Content by: Alison Wilson
Financial Review (where applicable) by: _____
Legal Review (where applicable) by: John H. Clemmons
Accepted by Council Agenda: Jenny Burton

Item No. 11(B) (1)

City of Fairfield, Ohio
City Council Meeting Communication

Date 04-22-13

Item:

An ordinance modifying various chapters of the building code as part of the Fairfield Codified Ordinances.

Financial Impact:

Building inspection fees are being modified which will have a positive impact upon the general fund.

Synopsis:

Due to State of Ohio and national building code changes it is necessary for Fairfield's local building code to reference these code up-dates, new contractor licensing requirements and other associated issues. Additional local changes include digital submission standards and simplification/modification of the fee inspection section which has not been changed since 1990.

At the March 11, 2013 Council/Manager briefing, discussion centered on the fee structure and modifications that were appropriate given the inspection fees for competing regional communities, current subsidy of the general fund for inspections and mechanical/electrical fee calculations. As a result of comments from Council that the minimum fee proposal may be too high for the residential sector, various modifications were made to the minimum residential inspection fees making them modest increases. Examples include decks which have a current minimum permit fee of \$25.00 are being proposed to increase to \$40.00 minimum, only a \$15.00 increase. The current costs associated with residential furnace/AC replacement inspection will not increase and will remain at \$40.00 and \$60.00 respectively. The cost of new and replacement residential driveways will also not increase.

Background:

The new state of Ohio building codes no longer allow municipalities to exempt portions of the state code or to have stricter requirements than the minimum state code requirements. This was instituted state wide to protect life and property and to make the code uniform across the state. This provision will require many deletions to the Fairfield code which are several decades old and supplemented past state codes which were not as comprehensive regarding various building/construction issues as past Council's/staff's felt appropriate.

Recommendation:

It is recommended that City Council have first reading on this ordinance at the meeting set for April 22 and have three readings. So that the building community has time to

modify bid schedules and proposals it is requested that the changes to this ordinance become effective September 1, 2013.

Legislative Actions:	Rules Suspension and Adoption Requested?	No.
	Emergency Provision Needed?	No.

Prepared by: Tina Bochner
Approved for Content by: Tina Bochner
Financial Review (where applicable) [Signature]
Legal Review (where applicable) John A. Clemens
Accepted for Council Agenda: Jimmy Burton

**CODIFIED ORDINANCES OF FAIRFIELD
PART THIRTEEN - BUILDING CODE**

PREFACE

TITLE ONE - Administration

- Chap. 1301. Title and Scope.
- Chap. 1303. Definitions.
- Chap. 1305. Enforcement and Penalty.
- Chap. 1309. Permits.
- Chap. 1311. Fees.
- Chap. 1313. Inspections; Certificate of Occupancy.
- Chap. 1315. Craft Licenses **AND CONTRACTOR REGISTRATION**
- Chap. 1317. Board of Building Appeals.

TITLE THREE - Building and Maintenance Standards

- Chap. 1325. Design Criteria.
- Chap. 1327. Amendments to Residential Code of Ohio for One; Two-
and Three-Family Dwellings.
- Chap. 1329. Residential Security; Early Fire Warning Systems.
- Chap. 1331. Accessory Buildings and Structures.
- Chap. 1333. Signs.
- Chap. 1335. Electrical Work.
- Chap. 1337. Heating, Ventilating and Air Conditioning.
- Chap. 1339. Safeguards During Construction or Demolition.
- Chap. 1341. Use of Public Property.
- Chap. 1343. Property Maintenance Code.

CODIFIED ORDINANCES OF FAIRFIELD
PART THIRTEEN - BUILDING CODE

PREFACE

PREFACE

The Building Division of the City is a division under the Development Services Department. The Division has been certified since April 20, 1962, and is currently certified by the State Board of Building Standards to exercise enforcement authority and to accept and approve plans and specifications, and make inspections in accordance with the provisions of the Ohio Building Code (OBC), adopted by the Ohio Board of Building Standards, **MOST CURRENT EDITION**, for all occupancies pursuant to Rule [4101:2-1-03] 4101:1-1 to 4101:1-35 of the Ohio Administrative Code, except "Plumbing", Chapter [4101:2-51] 4101:3-1 to 4101:3-13 of the Administrative Code. The Plumbing Code is administered by the Butler County Board of Health.

The Building Superintendent is the chief enforcement official for all occupancies. The Division is controlled and administered by the Building Superintendent, who shall have the power to make rules and regulations to enforce the Building Code.

The Ohio Building Code applies to all buildings except as follows:

- (a) Single-family, two-family and three-family ~~dwelling~~ houses which are not **COVERED BY THE RESIDENTIAL CODE OF OHIO (RCO), CURRENT EDITION**. ~~constructed of industrialized units, except where the context specifies mandatory applicability;~~
 - ~~(b) Buildings owned by and used for a function of the United States government;~~
 - ~~(c) Existing buildings where their location, parts, equipment and other items do not constitute a serious hazard;~~
 - ~~(d) Buildings constructed in accordance with plans which have been approved prior to the effective date of the Ohio Building Code; and~~
 - ~~(e) Buildings or structures which are incident to the use for agricultural purposes of the land on which such buildings or structures are located, provided such buildings or structures are not used in the business of retail trade.~~
- ~~(See Ohio R.C. 3781.06 and 3781.061.)~~

~~Single-family, two-family and three-family house are covered by the Ohio Building Officials Association (Oboa) Residential Code of Ohio for One-, Two- and Three-family Dwellings (OBOA Residential Code or Oboa Code) 2004 Edition, First Printing, Copywrite 2004, Except for the modifications adopted in this chapter. The code further standardizes requirements by using a compilation of data from the following national model codes:~~

BUILDING

- ICC International Building Code
- ICC International Residential Code
- ICC International Energy Conservation Code

PLUMBING

- Ohio Plumbing Code

MECHANICAL

- ICC International Mechanical Code
- ICC International Fuel Gas Code

ELECTRICAL

- National Electric Code

All construction activity is governed by the administrative section of the Building Code; and other ordinances where applicable, viz.: Zoning Ordinance, Subdivision Rules and Regulations, Thoroughfare Plan, etc. (Ord. 7-05. Passed 1-24-05.)

TITLE ONE - Administration

- Chap. 1301. Title and Scope.
- Chap. 1303. Definitions.
- Chap. 1305. Enforcement and Penalty.
- Chap. 1309. Permits.
- Chap. 1311. Fees.
- Chap. 1313. Inspections; Certificate of Occupancy.
- Chap. 1315. Craft Licenses **AND CONTRACTOR REGISTRATION**
- Chap. 1317. Board of Building Appeals.

**CHAPTER 1301
Title and Scope**

<p>1301.01 Title.</p> <p>1301.02 Purpose.</p> <p>1301.03 Minimum standards adopted.</p> <p>1301.04 Code remedial.</p> <p>1301.05 Scope.</p>	<p>1301.06 Existing structures.</p> <p>1301.07 Maintenance.</p> <p>1301.08 Validity and severability clause.</p>
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CROSS REFERENCES

- Power to regulate building erection - see Ohio R.C. 715.26, 715.29, 737.28
- Power to regulate fences, billboards and signs - see Ohio R.C. 715.27
- Oil and gas wells - see Ohio R.C. Ch. 1509

1301.01 TITLE.

Part Thirteen of the Codified Ordinances shall be known as the Building Code of the City of Fairfield, may be cited as such, and will be referred to in Part Thirteen of the Codified Ordinances as "this Code". (Ord. 7-05. Passed 1-24-05.)

1301.02 PURPOSE.

The purpose of this Code is to provide certain minimum standards, provisions and requirements for safe and stable design, methods of construction, and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses, or demolished and to regulate the equipment, maintenance, use and occupancy of all buildings and/or structures, and to make provisions for licensing, **AND REGISTRATION** of various crafts and examining boards therefor. (Ord. 7-05. Passed 1-24-05.)

1301.03 MINIMUM STANDARDS ADOPTED.

(a) ~~Minimum standards for One, two and three-family residences and accessory residential structures shall be governed by the OBOA Residential Code of Ohio for CURRENT EDITION One, Two and Three Family Dwellings (OBOA Residential Code) 2004 Edition, first printing, which is~~ **BASED ON THE INTERNATIONAL RESIDENTIAL CODE WITH DELETIONS, SUBSTITUTIONS AND AMENDMENTS AS APPROVED BY THE STATE OF OHIO.** ~~hereby adopted by reference in its entirety except as amended in this chapter.~~

(b) All other construction is governed by the Ohio Building Code, ~~2005 Edition, or most current edition, adopted by Ohio Board of Building Standards which is based on the International Building Code, chapters 2 through 35 as published by the International Code Council, Inc. with deletions, substitutions and amendments as approved by the State of Ohio. The International Building Code administrative requirements (Chapter 1) are not adoptive material and are replaced with administrative requirements promulgated by the State of Ohio. See OAC Chapter 4101:1-1. The Ohio Building Code (OAC Chapters 4101:1-1 through [2-35] 4101:1-35).~~ **is effective January 1, 2002 unless otherwise indicated.**

(c) ~~The 2005 edition of the Ohio Mechanical Code, or most-current edition~~ **WHICH IS BASED ON THE INTERNATIONAL MECHANICAL CODE WITH DELETIONS, SUBSTITUTIONS AND AMENDMENTS AS APPROVED BY THE STATE OF OHIO** adopted by Ohio Board of Building Standards, is adopted, regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, addition to, use or maintenance of mechanical systems, and providing for the issuance of permits and the collection of fees. Additional requirements and regulations as per Chapter 1337, Heating, Ventilation and Air Conditioning.

(d) Such standards shall relate to the conservation of energy, safety, and sanitation of buildings for their intended use and occupancy; however, note that plumbing is under the jurisdiction of the Butler County Health Department.

(e) Pursuant to §4.11 of the City Charter, copies of all codes adopted by reference shall be kept in the office of the Clerk of Council and shall be available to all interested persons. (Ord. 7-05. Passed 1-24-05.)

1301.04 CODE REMEDIAL.

This Code is hereby declared to be remedial, and shall be construed to secure the beneficial interests and purposes thereof, which are public safety, health, and general welfare, through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards incidental to the construction, alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises. (Ord. 7-05. Passed 1-24-05.)

1301.05 SCOPE.

(a) The administrative provisions of this Code shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

(b) No provisions of this Code shall be held to deprive any Federal or State agency, or any Municipal authority having jurisdiction, of any power or authority which it had on the effective date of this act or any remedy then existing for the enforcement of its orders. (Ord. 7-05. Passed 1-24-05.)

1301.06 EXISTING STRUCTURES.

(a) Alterations or Repairs. Alterations or repairs may be made to any structure without requiring the existing structure to comply with all the requirements of this Code, provided the alteration or repair conforms to that required of a new structure; however, if the structure is increased in floor area or number of stories, the entire structure shall be made to conform with the requirements of the applicable Code in respect to means of egress, fire protection, life and ventilation.

(b) Unsafe Alterations. No building, or building service equipment therein, shall be so altered or repaired as to be less safe or sanitary.

(c) Change of Occupancy. If the occupancy of an existing building is entirely changed, the building shall be made to conform to the requirements of the applicable Code for the new occupancy. If the occupancy of only a portion of an existing building is changed and that portion is separated from the remainder, then only that portion need to be made to conform. (Ord. 7-05. Passed 1-24-05.)

1301.07 MAINTENANCE.

All buildings, structures and service equipment, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this Code in a building when erected, altered, or repaired, shall be maintained in good working order. The owner or his designated agent shall be responsible for the maintenance of buildings, structures and service equipment.

(Ord. 7-05. Passed 1-24-05.)

1301.08 VALIDITY AND SEVERABILITY CLAUSE.

This Code and the various parts and provisions hereof are hereby declared to be severable. In the event any part or provision of this Code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions hereof, and it shall be presumed that Council would have passed this Code without such illegal or invalid parts or provisions.

(Ord. 7-05. Passed 1-24-05.)

**CHAPTER 1303
Definitions**

1303.01 Definitions.

CROSS REFERENCES

General definitions and interpretation - see ADM. 101.02
 Subdivision definitions - see P. & Z. 1105.01
 Zoning definitions - see P. & Z. Ch. 1133

1303.01 DEFINITIONS.

(a) ~~Certain words and phrases as used in the Building Code are defined as hereafter set forth in this section.~~ **IN THE CODES ADOPTED IN SECTION 1301.3 (RESIDENTIAL CODE OF OHIO AND THE OHIO BUILDING CODE), OR OTHER PARTS OF THE CODIFIED ORDINANCES OF FAIRFIELD.**

~~(b) Additional words not included in this section are defined in the codes adopted in Section 1301.03 (OBOA Residential Code and the Ohio Building Code), or other parts of the Codified Ordinances of Fairfield.~~

(1) **"APPROVALS REQUIRED" MEANS ANY OWNER OR AUTHORIZED AGENT WHO INTENDS TO CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, OR CHANGE THE OCCUPANCY OF A BUILDING OR STRUCTURE, OR PORTION THEREOF, OR TO ERECT, INSTALL, ENLARGE, ALTER, REPAIR, REMOVE, CONVERT OR REPLACE ANY ELECTRICAL, GAS, MECHANICAL, PLUMBING SYSTEM, OTHER BUILDING SERVICE EQUIPMENT, OR PIPING SYSTEM THE INSTALLATION OF WHICH IS REGULATED BY THIS CODE, OR TO CAUSE ANY SUCH WORK TO BE DONE, SHALL FIRST MAKE APPLICATION TO THE BUILDING SUPERINTENDENT AND OBTAIN THE REQUIRED APPROVAL. IN LIEU OF "PERMITS" USED IN CHAPTER 13, APPROVAL/APPROVALS SHALL BE SUBSTITUTED. "Area, building" means the maximum projected horizontal area of a building at or above grade including all enclosed extensions.**

~~(2) "Area, floor gross" means the floor area within the perimeter of the outside walls of the building under consideration, without deduction for hallways, stairs, closets, thickness of walls, columns or other features.~~

~~(3) "Area, floor net" to determine the number of persons for whom exits are to be provided, the net floor area shall be the actual occupied area and shall not include unoccupied accessory areas or thickness of walls.~~

~~(4) "Areaway" means a space adjacent to the building open to the weather.~~

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- (5) "Attic, story" means a habitable attic which has a stairway as a means of access and egress and in which the ceiling area at a height of seven and one-third feet above the attic floor is not more than one-third the area of the floor next below.

- ~~(6) "Balcony" means an exterior auxiliary floor space projecting from the exterior wall of an enclosed structure and supported by that structure, and unenclosed by other than a railing or parapet.~~
- ~~(7) "Bay window" means a window projecting beyond the wall line of the building and extending down to the foundations. See "oriel window".~~
- ~~(8) "Breezeway" means a covered passage between two buildings, open at the sides.~~
- ~~(9) "Building" means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind. The term building shall be construed as if followed by the words "or part thereof". When separated by dividing walls without opening, each portion of such building so separated shall be deemed a separate building.~~
- ~~(10) "Building Superintendent" (also Building Official) means the officer or other designated authority charged with the administration and enforcement of this Code, or his duly authorized representative.~~
- ~~(11) "Cellar" means that portion of a building the ceiling of which is entirely below grade or less than four feet six inches above grade. See "basement".~~
- ~~(12) "Certificate of occupancy" means a document issued by the Building Superintendent certifying that a building or structure and/or its use or the use of premises conform with this Code.~~
- ~~(13) "Chimney, masonry" means a chimney whose flue or flues are enclosed by masonry or reinforced concrete.~~
- ~~(14) "Chimney, metal" means a chimney whose flue is enclosed by metal.~~
- ~~(15) "City" means the municipal corporation of Fairfield, Ohio.~~
- ~~(16) "Curb level" means the elevation of the street grade as fixed by the Municipal authorities. Referring to a building, curb level means the elevation at that point of the street grade that is opposite the center of the wall nearest to the street and facing the street line. See "grade".~~
- ~~(17) "Conductors" or "roof leaders" means conveyors which carry the storm or rain water from the roof of buildings to the house or yard drain. The term "downspout" is usually applied to the vertical portion.~~
- ~~(18) "Crawlspace" means an unfinished, accessible space below a floor with a minimum clearance of eighteen inches to the bottom of the joists. Spaces with headroom of 80 inches or more shall be considered basements.~~
- ~~(19) "Dampproofing" means a treatment of a surface which retards the passage of water.~~
- ~~(20) "Dormer window" means a window belonging to a room in a roof, which consequently projects from it with a valley gutter on each side.~~
- ~~(21) "Family" means an individual, two or more persons related by blood, marriage or law, or a group of not more than any five persons living together in a dwelling unit.~~
- ~~(22) "Fire door" means a door and its assembly so constructed and assembled in place as to give the specified protection against the passage of fire.~~
- ~~(23) "Fire resistance rating" means the time in hours that the material or construction will withstand the standard fire exposure as determined by a fire test made in conformity with the current "Standard Methods of Fire Tests of Building Construction and Materials" of the American Society for Testing Materials (ASTM).~~

- (24) "Fire separation wall" means a fire resistance rated assembly of materials having protected openings, and designed to restrict the spread of fire.
- (25) "Fire wall" means a fire resistance rated wall, having protected openings, which restrict the spread of fire and extends continuously from the foundation to or through the roof.
- (26) "Floor area" See Area
- (27) "Grade" means the finished ground level adjoining the building at all exterior walls.
- (28) "Grade Plane" means a reference plane representing the average of the finished ground level adjoining the building at all exterior walls.
- (29) "Garage, private" means a garage used for storage purposes only and having a capacity of not more than four automobiles or trucks of three-quarter ton or less capacity.
- (30) "Height, building" means the vertical distance from grade plane to the average height of the highest roof surface.
- (31) "Landing" means a platform in a flight of stairs between two stories; the termination of a stair.
- (32) "Lintel" means the beam or girder placed over an opening in a wall which supports the wall construction above.
- (33) "Non combustible material" means any material defined as non-combustible or which passes the test procedure for defining non-combustibility of elementary materials as set forth in ASTM E136.
- (34) "Occupancy" means the purpose for which a building is used or intended to be used. Change of occupancy is not intended to include change of tenants or proprietors where no change of use is involved.
- (35) "Oriel window" means a window projected beyond and suspended from the wall of a building or structure or cantilevered from a wall.
- (36) "Passageway" means an enclosed hallway or corridor connecting a required exit to a street or other open space connecting with a street.
- (37) "Residential" means a construction or function related to family living and/or family living quarters (see Family).
- (38) "Right of Way" means the land secured and reserved for public uses, such as highways, streets, sidewalks, utilities, etc.
- (39) "Space heater" or "room heater" means any device designed and constructed for generation of heat from electricity or burning gases, liquid or solid fuels and used for heating all or any portion of a building.
- (40) "Stairway" means one or more flights of stairs and the necessary landings and platforms connecting them to form a continuous and uninterrupted passageway from one story to another in a building or structure.
- (41) "Story, half" means a space under a sloping roof which has the line or intersection of roof decking and wall face not more than three feet above the top floor level, and in which space, not more than two-thirds of the floor area, is finished off for use. A half-story containing independent apartment or living quarters shall be counted as a full story.

- ~~(42) "Structural alterations" means any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.~~
- ~~(43) "Structure" means anything constructed or erected, the use of which requires permanent location on the ground or which is attached to something having a permanent location on the ground.~~
- ~~(44) "Valuation" or "value" as applied to a building, means the estimated cost to replace the building in kind.~~
- ~~(45) "Veneer" means a facing of brick, concrete, metal, stone, tile or similar material attached to a wall for the purpose of providing ornamentation, protection, or insulation, but not counted as adding strength to the wall.~~
- ~~(46) "Ventilation" means the process of supplying or removing air by natural or mechanical means, to or from any space, usually in conjunction with steam and hot water or vapor installations. Such air may or may not have been conditioned.~~
- ~~(47) "Wall, cavity" means a wall built of masonry units or of plain concrete or a combination of these materials, so arranged as to provide an air space within the wall, and in which the inner and outer parts of the wall are tied together with metal ties.~~
- ~~(48) "Wall, faced" means a wall in which the masonry facing and backing are so bonded as to exert common action under load.~~
- ~~(49) "Wall, foundation" means a wall below the first floor extending below the adjacent ground level and serving as support for a wall, pier, column, or other structural part of a building.~~
- ~~(50) "Wall, non-bearing" (also Partition) means a wall which supports no load other than its own weight.~~
- ~~(51) "Wall, parapet" means that part of any wall entirely above the roof line.~~
- ~~(52) "Wall, retaining" means any wall used to resist the lateral displacement of any material.~~
- ~~(53) "Written notice" shall be considered to have been served if delivered in person to the individual or to the parties intended, or if delivered to or sent by registered mail to the address of the party to whom the notice is directed. (Ord. 7-05, Passed 1-24-05.)~~

**CHAPTER 1305
Enforcement and Penalty**

<p>1305.01 Building Division established; qualifications.</p> <p>1305.02 Inspections.</p> <p>1305.03 Restriction on employees.</p> <p>1305.04 Records.</p> <p>1305.05 General duties of Building Superintendent.</p> <p>1305.06 Right of entry.</p> <p>1305.07 Stop work orders.</p> <p>1305.08 Revocation of permits.</p> <p>1305.09 Unsafe buildings.</p>	<p>1305.10 Examination of damaged buildings.</p> <p>1305.11 Requirements not covered by Code.</p> <p>1305.12 Alternate materials and methods of construction.</p> <p>1305.13 Liability.</p> <p>1305.14 Monthly reports.</p> <p>1305.15 Proof of compliance; testing.</p> <p>1305.99 Penalty.</p>
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CROSS REFERENCES

Power to regulate building erection - see Ohio R.C. 715.26, 715.29, 737.28

Power to license contractors - see Ohio R.C. 715.27

Board of Building Appeals - see BLDG. Ch. 1317

1305.01 BUILDING DIVISION ESTABLISHED; QUALIFICATIONS.

(a) There is hereby created and established a division of the Development Services Department known as the Building and Zoning Inspection Division, "Building and Zoning Division", for the enforcement of all laws and ordinances relating to all types of building, electric and heating permits, the erection, inspection, maintenance, repair and occupancy of all buildings, structures, and service equipment within the corporate limits of the City. The Division is to be controlled and administered by a Building Superintendent.

(b) The Building Superintendent shall have had at least ten years experience as an architect, engineer, building inspector, building contractor or superintendent of building construction, five years of which he shall have been in responsible charge of work. He shall be appointed in accordance with the rules and regulations of the Civil Service Commission.

(c) A Plans Examiner who is an architect or professional engineer registered in the State having at least five years of experience in building construction and design shall be designated to serve in the Building Division, **WHO SHALL BE UNDER THE DIRECTION OF THE BUILDING SUPERINTENDENT.**

(Ord. 7-05. Passed 1-24-05.)

1305.02 INSPECTIONS.

(a) There shall be inspectors of building, electrical wiring, heating, ventilation and air conditioning (HVAC), and Zoning, appointed in accordance with the rules and regulations of the Civil Service Commission, who shall be under the direction of the Building Superintendent. ~~There shall be a Supervisor of Construction Inspection who shall act as assistant to the Building Superintendent and shall supervise the work of the inspectors of the Building Division and who shall perform any other duties delegated to him by the Building Superintendent. The Supervisor of Construction Inspection shall be appointed in accordance with the rules and regulations of the Civil Service Commission.~~

~~(b) The Supervisor of Construction Inspection is responsible for plans examination for the Division, and will review plans submitted with applications for permits for compliance with this Code, the Zoning Ordinance, and other City ordinances.
(Ord. 7-05. Passed 1-24-05.)~~

1305.03 RESTRICTIONS ON EMPLOYEES.

No officer or employee connected with the Division, except one whose only connection is a member of a board established by this act, shall be financially interested in the furnishing of labor, material, or appliances for construction, alteration, or maintenance of a building, or in the making of plans or of specifications therefor, unless he is the owner of such building. No such officer or employee shall engage in any work which is inconsistent with his duties or with the interests of the Division.
(Ord. 7-05. Passed 1-24-05.)

1305.04 RECORDS.

The Building Superintendent shall keep a proper record showing the location, value and character of every building, structure, or other work for which a certificate or permit is issued, and a copy of every report of inspection of a building, structure or work and it shall contain the name of the inspector making the inspection and the date thereof. All such records shall be open for public inspection for good and sufficient reasons at reasonable hours, but shall not be removed from the office of the Building Superintendent.
(Ord. 7-05. Passed 1-24-05.)

1305.05 GENERAL DUTIES OF BUILDING SUPERINTENDENT.

The Building Superintendent shall devote his whole time to the duties of his office. He shall receive applications required by this Code, issue permits and furnish the prescribed certificates. He shall examine premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely. He shall enforce all laws relating to the construction, alteration, repair, removal, demolition, equipment, use and occupancy, location, and maintenance of buildings, structures and service equipment, except as may be otherwise provided for. He shall, when requested by the Director of Development Services, or when the interests of the City so require, make investigations in connection with matters referred to in this Code and render written reports on the same. For the purposes of enforcing compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate exit facilities in existing buildings and structures, he shall issue such notices or orders as may be necessary. He shall have the power to make rules and regulations to enforce provisions of this Code.
(Ord. 7-05. Passed 1-24-05.)

1305.06 RIGHT OF ENTRY.

The Building Superintendent shall enforce the provisions of this Code, and he or his duly authorized representative may enter any building, structure or premises in the City to perform any duty imposed upon him by this Code, and for such purposes, shall have the powers of a police officer of the City.

(Ord. 7-05. Passed 1-24-05.)

1305.07 STOP WORK ORDERS.

Upon notice from the Building Superintendent that the work on any building or structure is being done contrary to the provisions of this Code or in a dangerous or unsafe manner, such work shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property or to his agent or to the person doing the work, and shall state the conditions under which work may be resumed. Stop work notices shall be posted on the site. It shall be unlawful for any person other than the Building Superintendent or his designee to alter, tamper with, or remove the stop work notice.

(Ord. 7-05. Passed 1-24-05.)

1305.08 REVOCATION OF PERMITS.

The Building Superintendent may revoke a permit or approval issued under the provision of this Code in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

(Ord. 7-05. Passed 1-24-05.)

1305.09 UNSAFE BUILDINGS.

All buildings, structures, or service equipment, which are unsafe, unsanitary or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, which in relation to existing use constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment are, severally, in contemplation of this section, unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the following procedure:

- (a) Whenever the Building Superintendent shall find any building, structure or service equipment or portion thereof to be unsafe as defined in this section, he shall, in accordance with established procedure for legal notices, give to the owner, agent or person in control of such building or structure written notice stating the defects thereof. This notice shall require the owner within a stated time either to complete specified repairs or improvements, or to demolish and remove the building, structure or service equipment or portion thereof.
- (b) If necessary, such notice shall also require the building, structure, or service equipment, or portion thereof, to be vacated and/or shut down forthwith and not reoccupied and/or restarted until the specified repairs and improvements are completed, inspected, and approved by the Building Superintendent. The Building Superintendent shall cause to be posted at each entrance to such building a notice: **"CONDEMNED AS A DANGEROUS AND UNSAFE STRUCTURE" "THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE BUILDING SUPERINTENDENT."** Such notice shall remain posted until the required repairs are made or demolition is completed. No person, firm or corporation or their agents or other servants shall remove such notice without written permission of the Building Superintendent nor shall any person enter the building except for the purpose of making the required repairs or of demolishing same.

- (c) The owner, agent or person in control shall have the right, except in cases of emergency, to appeal from the decision of the Building Superintendent as provided hereinafter, and to appear before the Board of Building Appeals at a specified time and place to show cause why he should not comply with the notice.
- (d) In case the owner, agent or person in control cannot be found within the stated time limit, or if such owner, agent or person in control shall fail, neglect or refuse to comply with notice to repair, rehabilitate or to demolish and remove such building, structure or service equipment, or portion thereof, the Building Superintendent after having ascertained the cost, shall cause such building or structure or service equipment, or portion thereof, to be demolished, secured or required to remain vacant, or be shut down.
- (e) The decision of the Building Superintendent shall be final in cases of emergency which, in his opinion, involve imminent danger of human life or health. He shall promptly cause such building, structure, or service equipment, or portion thereof, to be made safe or removed. For this purpose, he may at once enter such structure or land on which it stands, or abutting land or structure, with such assistance and at such cost as he may deem necessary. He may vacate adjacent structures and protect the public by appropriate fence or such other means as may be necessary, and for this purpose may close a public or private way.
- (f) Cost incurred under subsections (d) and (e) hereof shall be paid out of the City Treasury on certificate of the Building Superintendent. Such costs shall be charged to the owner of the premises involved and shall be collected in the manner provided by law. (Ord. 7-05. Passed 1-24-05.)

1305.10 EXAMINATION OF DAMAGED BUILDINGS.

The Building Superintendent shall examine or cause to be examined every building reported as dangerous or damaged, and shall make a written record of such examination, stating the nature and estimated amount of the damage, and the purpose for which the building was used.

(Ord. 7-05. Passed 1-24-05.)

1305.11 REQUIREMENTS NOT COVERED BY CODE.

Any requirement necessary for the strength or stability of an existing or proposed building or structure or for the safety of the occupants thereof not specifically covered by this Code, may be determined and ordered by the Building Superintendent.

(Ord. 7-05. Passed 1-24-05.)

1305.12 ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION.

(a) The provisions of this Code are not intended to prevent the use of any material or method of construction not specifically prescribed by this Code, provided such alternate is included in Chapter One, Section 118114, and Chapter Thirty-five of the OBC.

(b) The Board of Building Appeals shall approve any other alternate not covered above, provided they find that the proposed design is satisfactory and that the material, method, or work offered is for the purpose intended, at least the equivalent of that prescribed in the Code in quality, strength, effectiveness, fire-resistance, durability and safety. The Board of Building Appeals shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use.

(Ord. 7-05. Passed 1-24-05.)

1305.13 LIABILITY.

(a) Any officer or employee or member of the Board of Building Appeals charged with the enforcement of this Code when acting in good faith, and without malice, in the discharge of his duties, and within the scope of his authority under this Code, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of his duties under this Code.

(b) Any suit brought against any officer or employee because of such act performed by him in enforcement of any provision of this Code shall be defended by the Department of Law until the final termination of the proceedings.
(Ord. 7-05. Passed 1-24-05.)

1305.14 MONTHLY REPORTS.

The Building Superintendent shall make a monthly report on or before the tenth day of each month, of the number of permits or certificates issued during the preceding calendar month and the estimated value of construction of such buildings, structures or work for which the permits or certificates were issued, and any further information that may be required.
(Ord. 7-05. Passed 1-24-05.)

1305.15 PROOF OF COMPLIANCE; TESTING.

The Building Superintendent may require tests or test reports as proof of compliance with the provisions of this Code. Tests, if required, are to be made at the expense of the owner or his agent, by an approved testing laboratory or other approved agency. Copies of such test reports or the results of all such tests shall be kept on file in the office of the Building Superintendent.
(Ord. 7-05. Passed 1-24-05.)

1305.99 PENALTY.

No person shall locate, erect, construct, reconstruct, enlarge, change, maintain or use any building, equipment, or land in violation of any of the provisions of this Code, or any amendment or supplement thereto adopted by Council. Any person, firm or corporation violating any of the provisions of this Code or any amendment or supplement thereto, shall be deemed guilty of a misdemeanor of the third degree and, upon conviction thereof, shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty days, or both. Each and every day during which such violation continues shall constitute a separate offense.
(Ord. 7-05. Passed 1-24-05.)

CHAPTER 1309
Permits

1309.01	When required.	1309.09	Conditions of permit.
1309.02	Form; deposit.	1309.10	Plans to be kept at site.
1309.03	Plans.	1309.11	Permits issued on affidavit.
1309.04	Plot plans.	1309.12	Foundation permits.
1309.05	Time limit on applications.	1309.13	Shell permit.
1309.06	Examination of plans.	1309.14	1309.04 Violation of this Code.
1309.07	Affidavits.	1309.15	1309.05 Maintenance of permit premises.
1309.08	Action on application.		

CROSS REFERENCES

Fees - see BLDG. Ch. 1311

Craft licenses - see BLDG. Ch. 1315

Board of Building Appeals - see BLDG. Ch. 1317

1309.01 WHEN REQUIRED.

(a) Whoever desires to construct, excavate for, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to install, alter, or repair wiring, fire extinguishing apparatus, engines, dynamos and other mechanical or electrical equipment; or to install or repair a furnace, heater, incinerator, or other heat producing apparatus, fuel tanks, fences over four feet in height, signs, swimming pools over ~~eighteen~~ **24 (TWENTY-FOUR)** inches in depth, awnings; erection and connection of radio and television antenna, or other appurtenances the installation of which is regulated by this Code or the Zoning Ordinance; or to cause any such work to be done, shall first make application to the Building Superintendent and obtain the required permit therefor, except that certain mechanical permits may only be applied for by duly authorized ~~master or industrial license~~ **REGISTRATION** holders or by owner-occupants of single-family residences hereinafter provided for in this Code.

- (1) Each separate building or structure shall require a separate permit.
- (2) The application shall be signed by the owner or his authorized agent; and if signed by other than the owner, it shall verify that the proposed work is authorized by the owner and that the applicant is authorized to make such application and obtain such permit.

(b) Ordinary minor repairs where the cost of the work shall not exceed three hundred dollars (\$300.00) may be made without filing an application or obtaining a permit, except that ordinary minor repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety. In addition, a permit is required for re-roofing or siding a structure.

(c) Manufacturing plants, as herein defined, having a bona fide maintenance department and employing a graduate engineer, or employing a plant engineer having at least ten years experience, whose name shall be on file with the Building Superintendent, may secure an annual permit for all work covered by this Code and performed by the maintenance department at their manufacturing site, except for new building construction and additions or alterations affecting more than thirty-three and one-third percent (33 1/3%) of the physical structure of an existing building. Such permit may be secured during the month of January, shall be in lieu of all other charges hereunder, and the fee shall be three hundred fifty dollars (\$350.00) per year for those plants employing more than 2,000 employees and one hundred seventy-five dollars (\$175.00) per year for those plants employing less than 2,000 employees. Such plant shall, at all reasonable times, be subject to inspection by the Building Superintendent, the Fire Chief and the Board of Health representative to assure compliance with the provisions of this Code.
(Ord. 7-05. Passed 1-24-05.)

1309.02 FORM; DEPOSIT.

(a) Each application for a permit, with the required deposit shall be filed with the Building Superintendent on a form furnished by him, and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or his authorized agent. ~~A twenty-five dollar (\$25.00) deposit for residential permits and-~~ A deposit in accordance with the following schedule for commercial and industrial permits will be required with all applications. This deposit will apply toward the permit fee, except that it will be forfeited if the permit is not picked up within sixty days after the date of application. The deposit amount for commercial and industrial permits shall be as follows:

<u>ESTIMATED CONSTRUCTION COST</u>	<u>DEPOSIT AMOUNT</u>
\$0-10,000	\$50.00
\$10,000 - 50,000	100.00
\$50,000 - 100,000	200.00
\$100,000 - 500,000	300.00
\$500,000 - 1,000,000	500.00
over \$1,000,000	1,000.00

(b) Each application for a permit shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building and shall contain such other information as may be required by the Building Superintendent.
(Ord. 7-05. Passed 1-24-05.)

1309.03 PLANS.

(a) If a permit is required, and when required by the Building Superintendent, two or more copies of drawings to scale with sufficient specification data to determine with clarity and detail the nature and character of the work, shall accompany each application. Such plans and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the applicable Code. Such information shall be specific, and this Code shall not be cited as a whole or in part, nor shall the term legal or its equivalent be used as a substitute for specific information. One copy of one, two and three-family structure plans shall be retained by the Building Division for two years after completion of the structure and will be disposed of unless called for by the owner. Commercial and industrial plans are retained permanently. (See Section 1309.10.)

(b) The Building Superintendent may require any reasonable details and computations and stress diagrams and other data necessary to describe the construction and the basis of calculations.

(1) **Plans Required PLANS shall be drawn to scale and shall be sufficiently clear, comprehensive, detailed and legible when submitted to the building official so that, together with any accompanying specifications and data, a person who is competent in such matters can determine whether or not the proposed building, addition or alteration and all proposed building equipment will conform in safety and sanitation to all applicable provisions of this THE APPLICABLE Code and City ordinances. PLANS SHALL BE SUBMITTED IN TRIPPLICATE AS WELL AS IN ELECTRONIC/DIGITAL FORMAT WHICH MEETS THE STANDARDS AS SET BY THE BUILDING SUPERINTENDENT. THE COST TO SCAN DRAWINGS INTO AN ELECTRONIC/DIGITAL FORMAT SHALL BE ASSESSED TO THE PERMIT APPLICANT. COST TO BE DETERMINED BY THE BUILDING SUPERINTENDENT.**

(2) ~~If substantive changes to the building are contemplated after first plan submission, or during construction, those changes must be submitted to the Building Superintendent for review and approval prior to those changes being executed. The Building Superintendent may waive this requirement in the case of an emergency repair, or similar instance.~~

(3) ~~Plans, when submitted to the Building Superintendent for review shall include:~~

~~A. A plot plan showing street location; the location of the proposed building and all existing buildings on the site; including setback and sideyard dimensions; distances between all buildings; and location and sizes of all utilities lines and/or easements. (See Section 1309.04 regarding plot diagram.)~~

~~B. Floor plans, including plans of full or partial basements or cellars and full or partial attics. Floor plans must show all relevant information such as door swings, stairs and ramps, windows, shafts, etc.; and must be sufficiently dimensioned to describe all relevant space sizes.~~

~~C. All elevations necessary to completely describe the exterior of the building including floor to floor dimensions.~~

~~D. Cross sections, wall sections and detail sections, to scale, as may be required to describe the general building construction including wall, ceiling, floor and roof materials and construction; and details which may be necessary to describe typical connections, etc.~~

- E. Complete structural description of the building on the above drawings or on separate drawings including size and location of all principal structural elements. In the case of subterranean structure, a table of live loads used in the design of the building and computations, stress diagrams and other data sufficient to show correctness of plans is required.
- F. Complete description of the mechanical and electrical systems of the building on the above drawings or on separate drawings, including plumbing schematics and principal plumbing, fire suppression systems, heating, ventilation and air conditioning duct and piping layouts and lighting and power equipment layouts, when required by the Building Superintendent.

(c) No department, bureau, board, commission, officer or agent of the City shall accept, file or approve any plans and specifications for any building work or improvement in the City or issue or grant any permit pursuant thereto, unless the plans and specifications have been prepared or approved by a person legally qualified by registration to prepare plans and specifications for buildings, works and improvements under the laws of the State. Any acceptance, filing, and/or approval of plans and specifications for buildings, works or improvements or the issuing or granting of any permits contrary to the provisions of this regulation shall be void. All plans, surveys, and specifications shall bear the professional seal of the person responsible for their preparation or approval, such as structural engineer, architect or surveyor. With the exception of plot plans which must be prepared by a surveyor, nothing in the above paragraph shall be held or construed as applying to the construction, repair or remodeling of any of the following:

- (1) Single family and two and three family dwellings and the auxiliary buildings thereto, except for industrialized units which are governed by the OBC.
- (2) Repairs and alterations of buildings which do not adversely affect health, safety or structural stability.
- (3) Repairs and alterations within an industrial plant.
- (4) Alterations or repairs to mechanical branches of existing buildings.

Provided, however, that the drawings for all such exempt buildings shall clearly designate the true author thereof and the true ownership of the property, and shall state under which of the above provisions exemption is claimed.

(d) Any acceptance, filing and/or approval of plans, surveys and specifications for buildings, works or improvements or the issuing or the granting of any permit contrary to the provisions of this section shall be void. (Ord. 7-05. Passed 1-24-05.)

1309.04 PLOT PLANS.

(a) All applications for building permits for one, two and three family dwellings shall be accompanied by a plot plan in triplicate and all applications for building permits under the OBC shall be accompanied by eight copies of the plot plan, with the following site plan requirements:

- (1) Vicinity map;
- (2) Site plan (scale between 1"=30' and 1"=100');
- (3) Zoning of property;
- (4) Name of submitted project;

- ~~_____ (5) Owner, engineer, developer, surveyor, architect when applicable;~~
- ~~_____ (6) Surveyor's certifications;~~
- ~~_____ (7) Legal boundaries and survey markers;~~
- ~~_____ (8) Contour map with 5 foot intervals with drainage arrows shown;~~
- ~~_____ (9) Existing streets, public rights of way, and easements;~~
- ~~_____ (10) Existing buildings;~~
- ~~_____ (11) Waterways/ponds;~~
- ~~_____ (12) Trees with 6 inch caliper or greater;~~
- ~~_____ (13) Floodways (Federal Insurance Rate Map) data;~~
- ~~_____ (14) Proposed street/curb cuts;~~
- ~~_____ (15) Off-street parking;~~
- ~~_____ (16) All walkways and bikeways;~~
- ~~_____ (17) Open space/recreational area;~~
- ~~_____ (18) Screening and buffering dimensions/materials;~~
- ~~_____ (19) Final grade plan;~~
- ~~_____ (20) Utilities plan;~~
- ~~_____ (21) Drainage/sedimentation/erosion/retention/detention plans, where applicable;~~
- ~~_____ (22) Landscaping plan;~~
- ~~_____ (23) Building locations and first floor elevation;~~
- ~~_____ (24) Finished grade at the building corners;~~
- ~~_____ (25) Floor plan square footages for Planned Unit Development final development plan;~~
- ~~_____ (26) Lot area;~~

~~and such other information as may be necessary to provide for the enforcement of this Code and the Zoning Ordinance. A careful record of such applications and plot plans shall be kept in the office of the Building Superintendent.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

~~_____ 1309.05 TIME LIMIT ON APPLICATION.~~

~~An application for any permit shall be deemed to have been abandoned sixty days after the date of filing, unless the permit shall have been issued before then; provided that, for cause, one or more extensions of time for periods not exceeding ninety days each may be allowed by the Building Superintendent.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

~~_____ 1309.06 EXAMINATION OF PLANS.~~

~~The Building Superintendent shall examine or cause to be examined each application for a permit and the plans and computations filed therewith and shall ascertain by such examination whether the construction indicated and described is in accordance with the requirements of this Code and all other pertinent laws or ordinances. When the Building Superintendent finds that plans submitted to him for approval conform to the applicable provisions of this Code, he shall endorse or stamp such plans as approved. The Building Superintendent may issue a partial plan approval for construction of a foundation or any other part of a building or structure before complete plans and specifications for the entire building or structure have been submitted, provided that such approvals are issued for various stages in sequence of construction and that all information and data required by this Code for that portion of the building or structure has been submitted. The holder of a partial plan approval may proceed only to the point for which approval has been given at his own risk and without assurance that approval for the entire building or structure will be granted. (Ord. 7-05. Passed 1-24-05.)~~

1309.07 AFFIDAVITS.

— If the plans submitted conform to the laws as to egress, type of construction, and general arrangement and are accompanied by drawings showing the structural design and by a statement that the plans and design conform to the requirements of law as to strength, stresses, strains, loads and stability and are filed and sworn to by a registered architect or engineer, the Building Superintendent may, without further examination, accept such affidavit; provided that the registered architect or engineer who made such affidavit agrees to submit to the Building Superintendent, on the completion of the structure, a certification that to the best of his knowledge, the structure has been erected in accordance with the requirements of this Code.
(Ord. 7-05. Passed 1-24-05.)

1309.08 ACTION ON APPLICATION.

— If the Building Superintendent is satisfied that the work prescribed in an application for a permit and the plans filed therewith conforms to the requirements of this Code and other pertinent laws and ordinances, he shall issue a permit therefor to the applicant. If the application for a permit and the plans filed therewith describe work which does not conform to the requirements of this Code or other pertinent laws or ordinances, the Building Superintendent shall not issue such permit. Such refusal shall, when requested, be in writing and shall contain the reasons therefor. Action by the Building Superintendent must be completed on one, two and three-family permits within ten working days and on all other permits within thirty calendar days.

(Ord. 7-05. Passed 1-24-05.)

1309.09 CONDITIONS OF PERMIT.

— A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of this Code; nor shall such issuance of a permit prevent the Building Superintendent from thereafter requiring a correction of errors in plans or in construction, or of violation of this Code. Any permit issued shall become invalid unless the work authorized by it shall have been commenced within sixty days after its issuance or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced; provided that, for cause, one or more extensions of time, for periods not exceeding ninety days each may be allowed in writing by the Building Superintendent.

(Ord. 7-05. Passed 1-24-05.)

1309.10 PLANS TO BE KEPT AT SITE.

— When the Building Superintendent issues a permit, he shall endorse in writing, or stamp, all sets of plans, "Approved". One set of plans so approved shall be retained by the Building Superintendent and the other sets shall be returned to the applicant. The approved plans shall be at the site of the work and shall be open to inspection by the Building Superintendent or his authorized representative.

(Ord. 7-05. Passed 1-24-05.)

~~————~~ **1309.11 PERMITS ISSUED ON AFFIDAVIT.**

~~————~~ Whenever a permit is to be issued in reliance upon an affidavit as provided in Section 1309.07, the Building Superintendent shall require that the architect or the engineer who signed the affidavit or made the plans or computations shall supervise the construction of such work and be responsible for conformity with the approved plan, and forthwith upon its completion make and file with the Building Superintendent a written affidavit that the work has been done in conformity with the approved plans and the structural provisions of the Code to the best of their knowledge and belief. Whenever the work to be covered by a permit involves construction which, in the opinion of the Building Superintendent, is hazardous or complex, the Building Superintendent shall require the owner to employ a competent person or agency, or in the situation involving a permit issued in reliance of an affidavit as provided in Section 1309.07, the architect or engineer who signed the affidavit, to supervise such work and be responsible for its conformity with the approved plans and forthwith upon its completion make and file with the Building Superintendent a written affidavit that the work has been done in conformity with the approved plans and structural provisions of the Code to the best of their knowledge and belief. (Ord. 7-05. Passed 1-24-05.)

~~————~~ **1309.12 FOUNDATION PERMITS.**

~~————~~ When application for permit to erect or enlarge a building has been filed, and pending issuance of such permit, the Building Superintendent may, at his discretion, issue a special permit for the foundations of such buildings. The holder of such a special permit shall proceed at his own risk and without assurance that a permit for the superstructure will be granted. (Ord. 7-05. Passed 1-24-05.)

~~————~~ **1309.13 SHELL PERMIT.**

~~————~~ When application for a permit to erect or enlarge an industrial or commercial building has been filed, and pending issuance of such permit, the Building Superintendent may, at his discretion, issue a special permit for the foundation and shell provided all building plans have been submitted and approved except mechanical (HVAC, electrical and plumbing). (Ord. 7-05. Passed 1-24-05.)

1309.14 1309.04 VIOLATION OF THIS CODE.

Any person, firm or corporation who is in violation of this Code and has been notified to correct the violation may be refused a permit for any future work to be done in the City until the violation has been corrected. (Ord. 7-05. Passed 1-24-05.)

1309.15 1309.05 MAINTENANCE OF PERMIT PREMISES.

(a) Every person, firm or corporation to whom a building permit has been issued under this Code shall until the issuance of a final occupancy permit be responsible for and shall cause the permit premises to be maintained at all times in accordance with the following requirements:

- (1) All paper, trash, plastic and any other material which is subject to being blown about or off the permit premises shall at all times be placed or secured in such a manner that it does not blow about or off the permit premises.

- (2) All uprooted trees and bushes, branches, limbs, trash, construction debris and litter as defined in Section 557.02(b) shall be removed from the permit premises at least once in every two week period and shall not be burned or buried on the permit premises. Such trash, construction debris and litter shall be removed to an appropriate landfill or other approved facility. The building permit holder shall be responsible at all times for controlling such material on-site and ensuring that there are no adverse impacts to water quality.
- (3) Sedimentation control devices and measures shall be installed and maintained at all times in accordance with the approved plot plan, if any, and in such a manner that all mud and sediment is contained on the permit premises and not permitted to escape onto adjoining property or public right of way. These sedimentation control measures shall include, but are not limited to, a driveway base or temporary construction entrance for each lot under development. On residential development lots, the driveway base should be established no later than during the foundation construction phase using ODOT Type 304 aggregate base material (or approved equivalent). On commercial/industrial development lots, a temporary construction entrance should be established during the initial site grading operation using 2-inch stone (or approved equivalent).
- (4) The building permit holder shall be responsible under the provisions of Section 905.03(b) for the immediate removal and cleaning and/or the cost of such removal and cleaning of all mud and other sediment which comes from the permit premises by any means onto any street, alley or public ground.

(b) As provided in Section 1305.07, the Building Superintendent has the authority to issue a stop work order for failure to maintain any site in accordance with the requirements listed above.

(Ord. 7-05. Passed 1-24-05.)

CHAPTER 1311
Fees

1311.01	Payment required before permit issued; penalty.	1311.03	Schedule of fees.
1311.02	Record of permits and fees.	1311.04	Estimate of cost of work.

CROSS REFERENCES

Planning fee schedule for plats; conditional use; planned unit developments and lot splits - see ADM. 141.01
Water and sewer hookup fees - see S.U. & P.S. Ch. 921, App. B; 925.05(e)

1311.01 PAYMENT REQUIRED BEFORE PERMIT ISSUED; PENALTY.

(a) No permit shall be issued until the fees prescribed in this chapter shall have been paid. Nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building structure, shall have been paid.

(b) The fees to be paid shall be determined by the Division of Building and Zoning according to the schedule in Section 1311.03, and shall be noted on the application, when approved, for the issuing of the permit. Such fee shall be paid to the City and receipt for the same shall be given.

(c) FOR ALL PLAN REVIEW OF COMMERCIAL AND INDUSTRIAL STRUCTURES, THERE SHALL BE AN ADDITIONAL FEE EQUAL TO TEN PERCENT (10%) OF THE FEE AS DETERMINED IN 1311.03 AND SHALL BE CHANGED AND PAID BY THE APPLICANT AT THE TIME THE PERMIT IS ISSUED. ANY THIRD PARTY PLAN REVIEW COSTS SHALL BE CHANGED AND PAID FOR BY THE APPLICANT AT THE TIME THE PERMIT IS ISSUED.

(e) (d) If any work is commenced on a building or structure before obtaining the necessary permit from the City, unless reasonable doubt exists as to the requirement of a permit, the fees below shall be The greater of double the permit fee or \$100.00 for the first offense. The greater of double the permit fee or \$200.00 for the second and additional offense(s). However, the payment of such double fee shall not relieve any person from fully complying with all the requirements of this Code, nor shall payment exempt the person from any other penalty prescribed herein. (Ord. 7-05. Passed 1-24-05.)

1311.02 RECORD OF PERMITS AND FEES.

The Building Superintendent shall keep accurate records of all permits issued, the names of all persons receiving permits, permit fees, and other moneys and dates thereof. (Ord. 7-05. Passed 1-24-05.)

1311.03 SCHEDULE OF FEES.

For all the buildings, structures or alterations and items of the building industry not covered by a unit permit fee, which require a permit as set forth in Chapter 1309, the applicant shall, at the time of issuance of the permit, pay the fee set forth in the following schedule:

Buildings, structures or alterations and unlisted items of the building industry:

- (a) When the valuation of the work does not exceed three hundred dollars (\$300.00), no permit shall be required unless an inspection is required, in which case, ~~there shall be a twenty-five dollar (\$25.00) fee.~~ **THE MINIMUM INSPECTION FEE SHALL BE A FORTY DOLLAR (\$40.00) FEE FOR RESIDENTIAL AND AN EIGHTY DOLLAR (\$80.00) FEE FOR COMMERCIAL CONSTRUCTION.**
- (b) The following listed items do not require a building permit, but such list shall not be viewed as all inclusive:
Driveways, walks, fences four feet in height or less, (See Section 1180.04(b)(1)), landscaping other than retaining walls, painting and papering for maintenance purposes, storm or screen doors, storm or screen windows, and any other items approved by the Board of Building Appeals.
- (c) No permit fee is required, but application must be made and plans filed for inspection and recording purposes, for buildings erected by the State or any taxing subdivision thereof; and for parochial, elementary and high school buildings, when such buildings are erected and are to be used exclusively for such school purposes and for residential flood protection projects.
- (d) Building permit fees shall be as follows:

One, Two and Three-Family Residences
and Accessory Buildings or Structures

<u>Estimated Cost</u>	<u>Permit Fee</u>
\$300.00 to \$100,000 \$3000 TO \$99,999	1/3 of one and one-half percent (1.5%) plus \$15.00 (COST OF JOB X .006) + \$22.00
\$100,000 and up ABOVE	1/5 of one and one-half percent (1.5%) of amount over \$100,000 plus \$500.00 (COST OF JOB X .004) + \$500.00

Commercial, Industrial and Multi-Family Buildings
and Accessory Buildings or Structures

<u>Estimated Cost</u>	<u>Permit Fee</u>
\$300.00 to \$100,000 \$4000 TO \$99,999	3/5 of one and one-half percent (1.5%) plus \$15.00 (COST OF JOB X .009) + \$44.00
\$100,000 and up ABOVE	1/5 of one and one-half percent (1.5%) of amount over \$100,000 plus \$900.00 (COST OF JOB X .004) + \$900.00

~~(e) If mechanical work is to be performed, the cost of such work should not be included in the estimated cost.~~

~~(f) An application for a permit for mechanical work shall be made by the licensed masters of their respective branches and paid for by them. A homeowner~~

~~occupant who is doing his own work shall apply and pay for a permit at the same rate as the licensed masters.~~

- (g) ~~Repair of a building shall require a permit with fees in accordance with subsections (d) and (e) hereof, unless exempted under subsections (a), (b) or (c) hereof. Fire and roof replacement, partial or complete, requires a permit as in subsections (d) and (e) hereof.~~
- (E) When additional inspections are required due to a request for inspection before job is ready, or extra inspections are needed due to defective work or inferior material, a charge of ~~twenty-five dollars (\$25.00)~~ **FIFTY DOLLARS (\$50.00)** shall be made for each additional visit to the project, other than regular inspections. **THE COSTS ASSOCIATED WITH THIRD PARTY INSPECTIONS REQUIRED TO DETERMINE COMPLIANCE WITH APPLICABLE CODES WILL BE CHARGED TO THE PERMIT HOLDER.**
- (i) ~~Tanks. Each tank intended for use as a storage tank for any type inflammable or combustible liquid or gas, or for oil, or any chemical listed by NFPA in the hazardous chemical category, or for any material designated by the Fire Chief of the City to be dangerous, shall require a permit as per the following schedule:~~

Capacity in Gallons Per Tank	Fee
300 or less	\$30.00
Over 300 to 1,000	40.00
For each additional 1,000	10.00

~~Procurement of the required permit does not relieve the installer or owner of any fuel storage tank for providing all requirements for the installation as designated by the Building and/or Fire Code.~~

(F) <u>Awnings and Signs.</u>	Fee
Awnings - For each awning overhanging an area used by the public	\$25.00
Signs AND AWNINGS:	
Minimum Fee	\$25.00-\$40.00
The permit fee to be based upon the estimated cost (commercial). AS DESCRIBED IN SECTION (D) ABOVE	\$25.00-\$40.00

(G) <u>Tents.</u>	Fee
(I) <u>Moving of Buildings.</u>	
For a permit to move a building through or across any public street, alley or highway.	\$100.00
All other moving of buildings.	\$50.00

(H) <u>Demolition or Wrecking of Buildings.</u>	Fee
One story building	\$25.00 \$30.00 per 1000 square feet

(n) <u>Heating, Ventilation and Air Conditioning</u>	See Chapter 1337.
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(o) <u>Electrical</u>	See Chapter 1335.
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(p) <u>Plumbing - Butler County Health Department.</u>	
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	<u>Fee</u>
(q) <u>Radio and Television Antennas:</u> Based upon the estimated cost of the job, residential or commercial.	\$25.00 minimum
(r) <u>Gas Piping:</u> Residential	\$35.00
Commercial	\$35.00 plus \$3.50 per opening
(s) <u>Occupancy of Streets:</u> With material, or barricading or partitioning off streets, sidewalks or alleys during building construction: Three consecutive days	None
For each thirty days or fraction thereof	\$25.00
(I) <u>Renewal of Any Permits.</u>	\$25.00
(J) <u>Change of Occupancy Inspection.</u>	\$50.00
(v) <u>Change in Plans:</u> A minimum fee of \$25.00 will be charged for a substantial change in plans previously submitted and reviewed for any building.	
(w) <u>Curb Cut Permit:</u> Residential	\$25.00
Commercial/Industrial	\$50.00
(x) <u>Fire Protection Systems, Sprinklers, Underground Fire Mains and Standpipe:</u> The fee shall be based on the estimated cost of the work:	
<u>ESTIMATED COST</u>	<u>PERMIT FEE</u>
\$300.00 to \$100,000	3/5 of 1.5% PLUS \$15.00
\$100,000 and up	1/5 of 1.5% of amount over \$100,000 plus \$900.00
(y) <u>Any Other Requested: Inspection.</u>	\$25.00
(z) In addition to the fees provided in subsections (a) through (x) above, for all permits or fees involving plan submittal for commercial or industrial structures, an additional fee for plan review cost equal to ten percent (10%) of the fee stated above shall be charged and paid by the applicant at the time the permit is issued. (Ord. 7-05. Passed 1-24-05.)	

(K) AN APPLICATION FOR A PERMIT FOR MECHANICAL OR ELECTRICAL WORK SHALL BE MADE BY THE REGISTERED CONTRACTOR OF THEIR RESPECTIVE BRANCHES AND PAID FOR BY THEM USING THE SCHEDULE BELOW. A HOMEOWNER-OCCUPANT WHO IS DOING HIS OWN WORK SHALL APPLY AND PAY FOR A PERMIT AT THE SAME RATE AS THE REGISTERED CONTRACTOR.

MECHANICAL AND ELECTRICAL FEE CALCULATION SCHEDULE
1. ALL MECHANICAL, ELECTRICAL AND FIRE SUPPRESSION/ALARM IMPROVEMENTS AND OR RENOVATIONS SHALL FOLLOW THE SCHEDULE OF FEES AS DESCRIBED IN SECTION 1311.03 (d).

2. THE FOLLOWING FEES FOR MISCELLANEOUS MECHANICAL AND

ELECTRICAL INSTALLATIONS ARE HEREBY ENACTED:

a. HVAC STANDARD FEES

RESIDENTIAL FURNACE OR A/C	\$40.00
RESIDENTIAL FURNACE AND A/C	\$60.00

b. ELECTRIC STANDARD FEES

NEW HOUSE	\$125.00
RESIDENTIAL REMODEL OR ADDITION	\$ 75.00
PER UNIT MULTI-FAMILY	\$ 70.00
TEMPORARY SERVICE/POLE RELEASE	\$ 40.00
ABOVE GROUND SWIMMING POOL WIRING	\$ 25.00
INGROUND SWIMMING POOL WIRING	\$ 40.00
INGROUND SWIMMING POOL BONDING	\$ 40.00
MOBILE HOME	\$ 40.00

1311.04 ESTIMATE OF COST OF WORK.

(a) Before a permit shall be granted, the Building Superintendent shall estimate the value of the proposed work. The method of estimating shall be by square footage. ~~These figures are to be reviewed and revised each January and July.~~

(b) On "cost plus" or "time and material" jobs, either new projects, remodeling, repair or replacement, a permit shall be issued and a fee charged on an estimated value. (Ord. 7-05. Passed 1-24-05.)

CHAPTER 1313
Inspections; Certificate of Occupancy

1313.01	Prerequisite for permit.	1313.04	Contents of certificate.
1313.02	When inspections required.	1313.05	Conditional certificate of occupancy.
1313.03	When certificate of occupancy required.	1313.06	Existing buildings.

CROSS REFERENCES

Enforcement - see BLDG., Ch. 1305

Appeals - see BLDG., Ch. 1317

1313.01 PREREQUISITE FOR PERMIT.

(a) Before issuing a permit, the Building Superintendent may examine or cause to be examined all buildings for which an application has been received for a permit to enlarge, alter, or repair and shall examine all buildings for which an application has been received to move, demolish or change the occupancy thereof. He shall inspect all buildings and structures from time to time during and upon completion of the work for which a permit was issued. He shall make a record of every such examination and inspection and all of the violations of, and nonconformance to, this Code.

~~—(b)—When deemed necessary by him, he shall make an inspection of materials or assemblies at the point of manufacture or fabrication. He shall make a record of every such examination and inspection and of all violations of, and noneonformance to, this Code.~~

~~—(c)—The Building Superintendent shall make, or cause to be made, the inspections called for by these requirements. He may accept reports of inspection of recognized inspection services, provided that after investigation he is satisfied as to their qualifications and reliability. But no certificate called for by any provision of these requirements shall be based on such reports unless the same are in writing and certified by a responsible officer of such service.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

1313.02 WHEN INSPECTIONS REQUIRED.

~~(a) The Building Superintendent shall inspect or cause to be inspected at various intervals all construction or work for which a permit is required, and a final inspection shall be made of every building or structure upon completion, prior to the issuance of a certificate of occupancy as required in Section 1313.03.~~

~~(b) With every permit issued, a separate display card shall be issued stating the type of permit. Such display card shall be kept posted in a conspicuous place visible from the outside of the building on which the work is being done or at the site of the construction. A separate card properly identified shall be required for each separate job. This permit card shall be maintained in such position by the permit holder until the final inspection or until the certificate of occupancy has been issued by the Building Superintendent. Willful failure to keep the permit card posted shall be a violation of this Code.~~

~~(c) The Building Superintendent, upon notification from the permit holder or his agent, shall make the following inspections of buildings and such other inspections as may be necessary, and shall either approve that portion of the construction for which inspection was requested, or shall withhold approval when that portion of construction inspected fails to comply with the requirements of this Code.~~

- ~~(1) Footing/foundation inspection. To be made after trenches are excavated and forms erected, and before concrete is poured.~~
- ~~(2) Foundation drainage inspection. To be made after drainage system is installed and before backfill is placed or gravel and concrete placed for slab.~~
- ~~(3) Slab inspection. To be made before pouring concrete. Perimeter insulation inspection is required. Heating or electrical slab inspection is required when electrical equipment or heating/cooling ducts are to be encased within the concrete floor.~~
- ~~(4) Framing inspection. To be made after the roof, all framing, fire blocking and bracing is in place and all vents are complete.~~
- ~~(5) Plumbing inspection. To be made at a time during construction when all the important features of the plumbing equipment are installed, and are adequately exposed to view. This inspection is accomplished by the Butler County Plumbing Inspector.~~
- ~~(6) Heating/cooling/ventilating inspection; rough. Shall be made when the heating/cooling/ventilating equipment is installed and all supply and return duct systems are in place, and before insulation or any other cover material is applied which may conceal any part of the system.~~
- ~~(7) Electrical inspection; rough. Shall be made after wiring is installed in the structure, and before insulation or any other cover material is applied which may conceal any part of the wiring system.~~
- ~~(8) Electrical temporary heat release inspection. Shall be made when the electrical service entrance is completed and the heating equipment is installed and ready for electrical connection.~~
- ~~(9) Electrical underground service inspection. Shall be made at a time when the trench is open and the underground service entrance is exposed to view.~~

- ~~(10) Insulation inspection. Shall be made after all insulation has been installed and prior to the application of dry wall, paneling or any material which might cover or conceal the insulation to be inspected.~~
- ~~(11) Gypsum Board Inspection. Shall be made after all gypsum board is installed and fastened by nails or screws and before joint compound is applied.~~
- ~~(12) Fireplace or chimney inspection. To be made at a time during construction when all the important features of the fireplace and chimney which required inspection are adequately exposed to view.~~
- ~~(13) Electrical inspection; final. Shall be made after all electrical devices, equipment, fixtures and wiring have been installed, connected and are ready for use.~~
- ~~(14) Heating/cooling inspection; final. Shall be made after all equipment is installed and the system can be operated.~~
- ~~(15) Building final. Shall be made after the building is completed.~~
- ~~(16) Certificate of occupancy inspection. After application, a certificate of occupancy inspection shall be made when all mechanicals and the building have had final inspections (electrical, HVAC, and plumbing) and all site inspections have been performed by the appropriate City departments, and the building is ready for occupancy.~~

~~The Inspector shall place either a notice of approval or a notice of non-approval in a conspicuous location within the structure inspected. No person shall alter, tamper with, or remove the red tag notice placed by the inspector. It shall be removed only by an inspector.~~

~~The permit holder shall be responsible for the maintenance of any inspection or other lawful notice provided and placed on his construction site by the Building Superintendent or his agent.~~

~~(d) No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the permission of the Inspector. However, permission to proceed shall be deemed to have been given if the Inspector shall fail to make the inspection within twenty-four hours after notification, disregarding Saturdays, Sundays and legal holidays.~~

~~(e) No reinforcing steel or structural frame work of any part of any building or structure shall be covered or concealed in any manner whatsoever without first obtaining the permission of the Inspector. However, permission to proceed shall be deemed to have been given if the Inspector shall fail to make the inspection within twenty-four hours after notification, disregarding Saturdays, Sundays and legal holidays.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

~~1313.03 WHEN CERTIFICATE OF OCCUPANCY REQUIRED.~~

~~No new building shall be occupied and no change in occupancy of a building or part of a building shall be made until after the Building Superintendent shall have issued a certificate of occupancy therefor. Upon application, the Building Superintendent shall, within seven consecutive working days, excluding Saturdays, Sundays and legal holidays, issue a certificate of occupancy for a new building or reject such application citing his specific reasons therefor, which reasons shall only be the inability of a building to properly support the use for which it is intended or defects in construction, or erroneous material usage in violation of this Code. An application involving a change of occupancy shall be acted upon within four consecutive working days, excluding Saturdays, Sundays and legal holidays. (Ord. 7-05. Passed 1-24-05.)~~

~~1313.04 CONTENTS OF CERTIFICATE.~~

~~Upon completion of a building hereafter erected in accordance with approved plans, and after the final inspection herein referred to, and upon application therefor, the Building Superintendent shall issue a certificate of occupancy stating the nature of the occupancy with the approved plans and with the provisions of this Code.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

~~1313.05 CONDITIONAL CERTIFICATE OF OCCUPANCY.~~

~~A conditional certificate of occupancy may be issued for a portion or portions of a building. Such conditional certificate of occupancy shall be issued within seven consecutive working days after application unless the Building Superintendent shall reject such application in the manner and for the same reasons set forth in Section 1313.03.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

~~1313.06 EXISTING BUILDINGS.~~

~~A certificate of occupancy for any existing building may be obtained by applying to the Building Superintendent and supplying the information and data necessary to determine compliance with this Code for the occupancy intended. Where necessary, in the opinion of the Building Superintendent, two sets of detailed plans or a general inspection, or both, may be required. When, upon examination and inspection, it is found that the building conforms to the provisions of this Code for such occupancy, a certificate of occupancy shall be issued.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

CHAPTER 1315
Craft Licenses AND CONTRACTOR REGISTRATION

<p>1315.01 Applications.</p> <p>1315.02 Review by examining board; variances.</p> <p>1315.03 Failure to qualify.</p>	<p>1315.04 Application form.</p> <p>1315.05 Fire protection system license required.</p>
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CROSS REFERENCES

Power to license house movers, electricians, plumbers, sewer tappers,
vault cleaners - see Ohio R.C. 715.27
Fees - see BLDG. Ch. 1311

1315.01 APPLICATIONS.

~~Craft licenses~~ **REGISTRATIONS** for HVAC and electric shall only be issued to individual persons and not in the name of any firm or corporation. The ~~license~~ **REGISTRATION** may state that the holder is the authorized ~~license~~ **REGISTRATION** holder representative of a firm or corporation. Craft licenses for sign erection may be issued in the name of a firm, corporation or individual person. Persons desiring craft licenses **OR REGISTRATIONS** shall apply to the Clerk of the Building and Zoning Division for the appropriate application form, which, when completed, shall be returned to the Clerk with the examination fee as required by the appropriate craft license **AND CONTRACTOR REGISTRATION** section of this Code.
(Ord. 7-05. Passed 1-24-05.)

1315.02 REVIEW BY EXAMINING BOARD; VARIANCES.

(a) **FOR CRAFT LICENSES FOR SIGN ERECTORS**, ~~the~~ Clerk shall deliver the completed application form to the Building Superintendent, who shall check the completed application form to determine that all necessary data is supplied and that the proper fee has been paid. The Building Superintendent shall secure from the references listed on the application form a letter and/or other acceptable verification of the applicant's qualifications.

(b) The completed application form as prepared by the applicant shall, on verification of all qualifications, be given to the Civil Service Clerk.

(c) The Civil Service Clerk shall notify the applicant when to appear for the requested examination after receipt of the completed and verified application from the Building Superintendent. (Ord. 7-05. Passed 1-24-05.)

1315.03 FAILURE TO QUALIFY.

If, upon examination of the completed application, the Building Superintendent finds the applicant not qualified to take the requested examination, the applicant shall be notified by the Building Superintendent and any fee deposited shall be returned to the applicant.
(Ord. 7-05. Passed 1-24-05.)

1315.04 APPLICATION FORM.

Standard application forms shall be prepared by the Building Superintendent for use by the secretary of the appropriate craft board.
(Ord. 7-05. Passed 1-24-05.)

~~1315.05 FIRE PROTECTION SYSTEM LICENSE REQUIRED.~~

~~———— All portions of any fire protection system shall be installed by contractors holding a valid license issued by the office of the Ohio State Fire Marshal.
(Ord. 7-05. Passed 1-24-05.)~~

**CHAPTER 1317
Board of Building Appeals**

<p>1317.01 Appointment. 1317.02 Term of office. 1317.03 Membership. 1317.04 Powers and duties. 1317.05 Administering oaths.</p>	<p>1317.06 Records. 1317.07 Quorum. 1317.08 Applications and appeals. 1317.09 Decisions of the Board.</p>
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CROSS REFERENCES

Members, powers, duties - see CHTR., §8.03
Board of Zoning Appeals - see P. & Z., Ch. 1137

1317.01 APPOINTMENT.

There is hereby created a Board of Building Appeals consisting of six members to be appointed by the City Manager, subject to confirmation by the Council by a majority vote of its members. (Ord. 7-05. Passed 1-24-05.)

1317.02 TERM OF OFFICE.

Members of the Board shall serve for overlapping terms of office of four years each. (Ord. 7-05. Passed 1-24-05.)

1317.03 MEMBERSHIP.

Members of the Board of Building Appeals shall be electors of the City; and, to the extent feasible, one member each shall be appointed from the following occupations or professions: a building contractor, a registered mechanical engineer, a master electrician, a master heating, ventilating and air conditioning licensee, a master plumber, and an attorney-at-law licensed to practice in the State. The builder, mechanical engineer, electrician, HVAC licensee, and plumber shall, to the extent feasible, have at least five years experience in the building construction industry. Failure of the members of the Board to meet the occupational and experience qualifications as set forth in this section shall not cause a forfeiture of their office nor invalidate any action taken by the Board. (Ord. 7-05. Passed 1-24-05.)

1317.04 POWERS AND DUTIES.

The Board of Building Appeals shall have these powers, duties and functions as provided under the Charter and ordinances and resolutions of the City.
(Ord. 7-05. Passed 1-24-05.)

1317.05 ADMINISTERING OATHS.

The Chairman of the Board may administer oaths and compel the attendance of witnesses. All meetings of the Board except executive sessions shall be open to the public.
(Ord. 7-05. Passed 1-24-05.)

1317.06 RECORDS.

The Board shall make a detailed record of all its proceedings, of its official actions, and the vote on each action. Findings of fact shall be included in the minutes of each case, and the reasons for approving or denying such appeal shall be specified.
(Ord. 7-05. Passed 1-24-05.)

1317.07 QUORUM.

Four members of the Board shall constitute a quorum. The affirmative vote of the majority of the members of the Board shall be necessary to modify an order of the Building Superintendent, a craft licensing board, or to vary the application of, or to interpret the provisions of this Code. No Board member shall act in a case in which he has a personal interest.
(Ord. 7-05. Passed 1-24-05.)

1317.08 APPLICATIONS AND APPEALS.

(a) An application or appeal may be taken by anyone adversely affected by a decision of the Building Superintendent in the case where application of this Code would work a manifest injustice, or by the applicant for a license who feels that he has been unjustly rejected by any of the craft licensing boards within this Code. An application or appeal shall be in the form prescribed by the Board, and shall be considered filed when a signed copy is left at the office of the Building Superintendent. A fee of fifty dollars (\$50.00) shall accompany each appeal. The appeal must be filed within thirty days following the adverse action complained of and shall stay all proceedings in furtherance of the action appealed from. In the case of unsafe and dangerous buildings as defined in Section 1305.09, the Building Superintendent in his notice may limit the time for appeal.

(b) The Board shall fix a reasonable time and place for the hearing of the application or appeal, shall give due notice thereof to the parties in interest, and shall render a decision within a reasonable time.

(c) Any person may appear and testify at the hearing, either in person or by duly authorized agent or attorney. (Ord. 7-05. Passed 1-24-05.)

1317.09 DECISIONS OF THE BOARD.

(a) Every decision of the Board of Building Appeals shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Building Superintendent and shall be open to public inspection.

(b) A decision of the Board of Building Appeals to vary the application of any provision of this Code or to modify an order shall specify in what manner such variation or modification is made, the conditions under which it is made, and the reasons therefor.

(c) Every individual, department, or Board affected by a decision of the Board of Building Appeals shall immediately take action in accordance with such decision.
(Ord. 7-05. Passed 1-24-05.)

TITLE THREE - Building and Maintenance Standards

Chap. 1325. Design Criteria.

~~Chap. 1327. Amendments to Residential Code of Ohio for One-,
Two- and Three-Family Dwellings.~~~~Chap. 1329. Residential Security; Early Fire Warning Systems.~~

Chap. 1331. Accessory Buildings and Structures.

Chap. 1333. Signs.

Chap. 1335. Electrical Work.

Chap. 1337. Heating, Ventilating and Air Conditioning.

Chap. 1339. Safeguards During Construction or Demolition.

Chap. 1341. Use of Public Property.

Chap. 1343. Property Maintenance Code.

CHAPTER 1325**Design Criteria**~~1325.01—Compliance required.~~~~1325.02—Frost protection; depth of
footers.~~~~1325.03—Snow loads.~~~~1325.04—Wind loads.~~~~1325.05—Thermal design conditions.~~~~1325.06—Seismic design category.~~~~1325.07—Weathering category.~~~~1325.08—Termite category.~~~~1325.09—Decay category.~~~~1325.10—Ice shield required.~~~~1325.11—Flood hazards.~~~~1325.12 Minimum square footage.~~~~1325.01~~**CROSS REFERENCES**

Accessory buildings or structures - see BLDG. Ch. 1331

Safeguards during construction - see BLDG. Ch. 1339

~~**1325.01 COMPLIANCE REQUIRED.**~~~~All buildings and structures shall meet the minimum design criteria defined below.
(Ord. 7-05. Passed 1-24-05.)~~

~~———— 1325.02 FROST PROTECTION; DEPTH OF FOOTERS.~~

~~———— Frost Depth: 30 inches.
(Ord. 7-05. Passed 1-24-05.)~~

~~———— 1325.03 SNOW LOADS.~~

~~———— The basic snow loads to be assumed in the design of buildings or other structures shall be twenty pounds per square foot. (Ord. 7-05. Passed 1-24-05.)~~

~~———— 1325.04 WIND LOADS.~~

~~———— All exposed structures or parts of structures shall be designed to resist ninety-mile-an-hour wind gusts of three-second duration. (Ord. 7-05. Passed 1-24-05.)~~

~~———— 1325.05 THERMAL DESIGN CONDITIONS.~~

~~———— Winter Design Temperature: 0° F.
(Ord. 7-05. Passed 1-24-05.)~~

~~———— 1325.06 SEISMIC DESIGN CATEGORY.~~

~~———— Design Category: B.
(Ord. 7-05. Passed 1-24-05.)~~

~~———— 1325.07 WEATHERING CATEGORY.~~

~~———— Weathering Category: Severe.
(Ord. 7-05. Passed 1-24-05.)~~

~~———— 1325.08 TERMITE CATEGORY.~~

~~———— Termite Category: Moderate to Severe.
(Ord. 7-05. Passed 1-24-05.)~~

~~———— 1325.09 DECAY CATEGORY.~~

~~———— Decay Category: Slight to Moderate.
(Ord. 7-05. Passed 1-24-05.)~~

~~———— 1325.10 ICE SHIELD REQUIRED.~~

~~———— Ice Shield Required: Yes.
(Ord. 7-05. Passed 1-24-05.)~~

~~———— 1325.11 FLOOD HAZARDS.~~

~~———— Flood Insurance Map (Firm) Dated: 11/04/1981
(Ord. 7-05. Passed 1-24-05.)~~

1325.12 1325.01 MINIMUM SQUARE FOOTAGE.

All detached single-family homes shall have a minimum of 1,000 square feet of living area. (Ord. 7-05. Passed 1-24-05.)

CHAPTER 1327
**Amendments to Residential Code of Ohio for One-,
 Two- and Three-Family Dwellings**

~~1327.01—Amendments adopted.~~
~~1327.02—Building planning.~~
~~1327.03—Foundations.~~
~~1327.04—Manufactured homes.~~

~~1327.05—Roof coverings.~~
~~1327.06—General plumbing
 requirements.~~
~~1327.07—Conflict.~~

CROSS REFERENCES

~~————— Adoption of codes by reference—see CHTR, Sec. 4.11~~
~~————— 2004 OBOA Code adopted—see BLDG. 1301.03(a)~~

~~————— **1327.01—AMENDMENTS ADOPTED.**~~

~~————— The following additions, deletions and modifications to the OBOA Residential Code, 2004 Edition, are hereby adopted as listed below with the referenced chapter, section and table where applicable.~~

- ~~————— (a) General: Throughout OBOA Residential Code:~~
~~————— Replace “International Building Code” with “Ohio Building Code (OBC)”~~
~~————— Replace “International Plumbing Code” with “Ohio Plumbing Code (OPC)”~~
~~————— Replace “One- and Two-Family Dwellings” with “One-, Two- and Three-
 family Dwellings”.~~
~~————— Replace “Two-family Dwellings” with “Two- and Three-family Dwellings”.~~
~~————— Replace “Chapter 1” with “Codified Ordinances of Fairfield, Part 13”.~~
~~(Ord. 7-05. Passed 1-24-05.)~~

~~————— **1327.02—BUILDING PLANNING.**~~

- ~~————— (a) Chapter 3, Section 301. Design Criteria. Refer to Chapter 1325 of this Code.~~
- ~~————— (b) Chapter 3, Section 309. Attached Private Garages. Add: “All gypsum on the wall and ceiling between the garage and living space or attic shall be the type ‘X’ fire-rated type.”~~
- ~~————— (c) Chapter 3, Section 313. Smoke Detectors. Also refer to Chapter 1329 of this Code.~~
~~(Ord. 7-05. Passed 1-24-05.)~~

1327.03 FOUNDATIONS.

~~(a) Chapter 4, Section 403. Footings. Footings for enclosed attached portions of the house shall have continuous concrete footings, unless an alternate design by a registered design professional is accepted by the Building Official.~~

~~(b) Chapter 4, Section 405. Foundation Drainage. Add: Foundations drains shall not be routed to the sanitary sewer or to the street. Perforated flexible plastic drain pipe is acceptable. Basement sump pumps shall not be routed to the sanitary sewer or to the street.~~

~~(c) Chapter 3, Sections 319 and 320. Protection Against Decay and Termites. Add: "Ratproofing; general. All buildings and structures and the walls enclosing habitable or occupiable rooms and spaces in which persons live, sleep or work; or in which feed, food or foodstuffs are stored, prepared, processed, served or sold, shall be constructed rat and vermin-proof in accordance with the following provisions:~~

~~(1) Wall openings. Openings required for ventilation or other purposes shall be guarded with corrosion-resistive rodent-proof shields of not less than No. 22 galvanized sheet gauge (0.034 in.) perforated steel sheets, or No. 20-B & S gauge aluminum or No. 16 galvanized sheet gauge (0.064 in.) expanded metal or wire-mesh screens, with not more than one-half inch mesh openings.~~

~~(2) Pipes and conduits. All openings for pipe, conduit, cable and similar purposes at or near grade shall have snugly fitted collars to eliminate all open spaces."~~

~~(Ord. 7-05. Passed 1-24-05.)~~

1327.04 MANUFACTURED HOMES.

~~(a) Appendix E to the OBOA Residential Code is amended as follows:~~

~~(1) Section AE-101 Scope is amended to apply to all manufactured homes used as dwelling units in the City of Fairfield, Ohio.~~

~~(2) Section AE-304 Fees is amended to provide that fees shall be in accordance with applicable fee schedules of the City of Fairfield, Ohio for the type of work or permit involved. All other provisions of Section AE-304 are hereby repealed.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

1327.05 ROOF COVERINGS.

~~Chapter 9. Add: Fiberglass and asphalt shingle roofs are to have a maximum of two roof coverings. (Ord. 7-05. Passed 1-24-05.)~~

1327.06 GENERAL PLUMBING REQUIREMENTS.

~~(EDITOR'S NOTE: Plumbing is governed by the Butler County Health District.)
(Ord. 7-05. Passed 1-24-05.)~~

1327.07 CONFLICT.

~~In addition to the above additions, deletions and modifications to the OBOA Residential Code, 2004 Edition, in the event of a conflict between any other provisions of the OBOA Residential Code, 2004 Edition, and any ordinance of the City, the City ordinance shall be controlling.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

CHAPTER 1329
Residential Security; Early Fire Warning Systems

1329.01—Purpose.	1329.06—Frames; jams; strikes;
1329.02—Scope.	—hinges.
1329.03—Definitions.	1329.07—Exterior doors.
1329.04—Alternate materials and	1329.08—Windows and sliding glass
—methods of construction.	—doors.
1329.05—Keying requirements.	1329.09—Street identification numbers.
	1329.10—Early fire warning systems.

CROSS REFERENCES

- Automatic sprinkler equipment in rest homes—see Ohio R.C. 3721.071
 — Smoke detectors in high rise apartments and condominiums—see Ohio R.C. 3781.104

— **1329.01 PURPOSE.**

— The purpose of this chapter is to provide minimum standards to safeguard property and public welfare by regulating and controlling the security and require early fire warning systems in all residential buildings and structures within the City.

(Ord. 7-05. Passed 1-24-05.)

— **1329.02 SCOPE.**

— (a) — The provisions of this chapter shall apply to new construction and to buildings or structures to which additions, alterations or repairs are made except as specifically provided in this chapter. When additions, alterations or repairs within any twelve month period exceed fifty percent (50%) of the replacement value of the existing building or structure, such building or structure shall be made to conform to the requirements of this chapter for new buildings or structures.

— (b) — Provisions of this chapter shall apply to modifications of doors and windows.

— (c) — Any existing structure which converts from its original occupancy group, as defined, shall comply with the provisions of this chapter.

(Ord. 7-05. Passed 1-24-05.)

1329.03-DEFINITIONS.

For the purpose of this chapter, certain terms are defined as follows:

- (1) "Auxiliary locking device" means a secondary locking system added to the primary locking system to provide additional security.
- (2) "Bolt" means a metal bar which, when actuated, is projected or thrown either horizontally or vertically into a retaining member, such as a strike plate, to prevent a door or window from moving or opening.
- (3) "Bolt projection" or "bolt throw" means the distance from the edge of the door, at the bolt centerline, to the farthest point on the bolt in the projected position.
- (4) "Buck" means a rough opening supporting a door frame.
- (5) "Burglary resistance glazing" means those materials as defined in U.L. Bulletin 972.
- (6) "Component" as distinguished from a part, means a subassembly which combines with other components to make up a total door or window assembly.
- (7) "Cylinder" means the subassembly of a lock containing the cylinder core, tumbler mechanism and the keyway. A double cylinder lock is one which has a key actuated cylinder on both the exterior and interior of the door.
- (8) "Cylinder core" or "plug" means the central part of the cylinder containing the keyway which is rotated by the key to operate the lock mechanism.
- (9) "Cylinder guard" means a tapered or flush metal ring or plate surrounding the otherwise exposed portion of a cylinder lock to resist cutting, drilling, prying, pulling or wrenching with common tools.
- (10) "Deadbolt" means a lock bolt which does not have a spring action as opposed to a latch bolt, which does. The bolt must be actuated by a key or a key and a knob or thumb turn and when projected becomes locked against return by end pressure.
- (11) "Door assembly" means a unit composed of a group of parts or components which make up a closure for an opening to control passageway through a wall. For the purpose of this chapter, a door assembly consists of the following parts: miscellaneous hardware and closures; the frame, including the header, threshold and jambs plus the anchorage devices to the surrounding wall and a portion of the surrounding wall extending thirty six inches from each side of the jambs and sixteen inches above the header.
- (12) "Door stop" means that projection along the top and sides of a door jamb which checks the door's swinging action.
- (13) "Double cylinder deadbolt" means a deadbolt lock which can be activated only by a key on either the interior or exterior.
- (14) "Flushbolt" means a manual, key or turn operated metal bolt normally used on inactive door(s) and is attached to the top and bottom of the door and engages in the head and threshold of the frame.
- (15) "Jamb" means the vertical members of a door frame to which the door is secured.
- (16) "Jamb wall" means that component of a door assembly to which a door is attached and secured; the wall and jamb used together are considered a unit.
- (17) "Key in knob" means a lockset having the key cylinder and other lock mechanisms contained in the knob.

- (18) "Latch" or "latch bolt" means a beveled, spring-actuated bolt which may or may not have a dead-locking device.
- (19) "Lock" or "lockset" means a keyed device complete with cylinder latch or deadbolt mechanism, and trim such as knobs, levers, thumb turns, escutcheons, etc., for securing a door in a closed position against forced entry. For purposes of this chapter, a lock does not include the strike plate.
- (20) "Locking device" means a part of a window assembly which is intended to prevent movement of the moveable sash, which may be the sash lock or sash operator.
- (21) "Part" as distinguished from component, means a unit or subassembly which combines with other units to make up a component.
- (22) "Primary locking device" means the single locking system on a door or window unit whose primary function is to prevent unauthorized intrusion.
- (23) "Rail" means the horizontal member of a window or door. A meeting rail is one which mates with a rail of another sash or a framing member of the door or window frame when the sash is in the closed position.
- (24) "Sash" means an assembly of stiles, rails and sometimes mullions assembled into a single frame which supports the glazing material. A fixed sash is one which is not intended to be opened. A moveable sash is intended to be opened.
- (25) "Sill" means the lowest horizontal member of a window frame.
- (26) "Single cylinder deadbolt" means a deadbolt lock which is activated from the outside by a key and from the inside by a knob, thumb turn, lever or similar mechanism.
- (27) "Solid core door" means a door composed of solid wood or composed of compressed material equal in strength to solid wood construction.
- (28) "Stile" means a vertical framing member of a window or door.
- (29) "Strike" means a metal plate attached to or mortised into a door or door jamb to receive and to hold a projected latch bolt and/or deadbolt in order to secure the door to the jamb.
- (30) "Swinging door" means a door hinged at the stile or at the head and threshold.
- (31) "U.L. listed" means tested and listed by Underwriters Laboratories, Inc.
- (32) "Window assembly" means a unit which includes a window and the anchorage between the window and the wall.
- (33) "Window frame" means a part of a window which surrounds and supports the sashes and is attached to the surrounding wall. The members include side jambs, head jambs, sill and mullions.
- (Ord. 7-05. Passed 1-24-05.)

1329.04 ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION.

(a) The provisions of this chapter are not intended to prevent the use of any material or method of construction not specifically prescribed by this chapter, provided any such alternate has been approved; nor is it the intention of this chapter to exclude any sound method of structural design or analysis not specifically provided for in this chapter. Structural design limitations given in this chapter are to be used as a guide only, and exceptions thereto may be made if substantiated by calculations or other suitable evidence prepared by a qualified person.

(b) — The Building Superintendent may approve any alternate provided he finds the proposed design is satisfactory and the material, method of work offered is, for the purpose intended, at least equivalent to that prescribed in this chapter in quality, strength, effectiveness, burglary resistance, durability and safety.
(Ord. 7-05. Passed 1-24-05.)

1329.05 KEYING REQUIREMENTS.

The contractor shall use a keying system in all exterior doors that incorporates one of the following:

- (a) — A construction cylinder that will be removed upon occupancy and replaced with a new cylinder and all keys furnished to the owner; or
- (b) — A cylinder system that admits construction keys during construction but upon occupancy the owner's key will reset the pin system, denying use of construction keys; or
- (c) — The original cylinder used during construction shall be repinned and new keys furnished to the owner. (Ord. 7-05. Passed 1-24-05.)

1329.06 FRAMES; JAMBS; STRIKES; HINGES.

Installation and construction of frames, jambs, strikes and hinges shall be as follows:

- (a) — In wood construction, the shim space between door frame and door buck shall be filled with a solid wood filler securely attached and extending at least twelve inches above and below the strike boxes. Strike plates and boxes shall be secured with screws extending through plate, frame, filler and at least one-quarter inch into the buck.
- (b) — Steel frames shall be factory reinforced for strikes with at least No. 14 gauge steel reinforcing securely attached and protected by plaster (mortar) guards.
- (c) — Doors swinging out shall be equipped to prevent removal of hinge pins when the door is closed. (Ord. 7-05. Passed 1-24-05.)

1329.07 EXTERIOR DOORS.

(a) — All wood doors shall be of solid core construction with a minimum thickness of one and three-fourths inches.

(b) — Steel covered doors shall be minimum 18 U.S. gauge steel and have sufficient reinforcement to maintain the designed thickness of the door when any locking device is installed; such reinforcement being able to restrict collapsing of the door around any locking device.

(c) — Except where clear vision panels are installed, the entry used primarily by guests or visitors shall be equipped with a wide angle, one hundred and eighty degree door viewer.

(d) — Except for a building containing four or more living units, a single or double door shall be equipped with a single or double cylinder deadbolt lock. The bolt shall have a minimum projection of one inch and be constructed so as to repel cutting tool attack. The deadbolt shall have an embedment of at least three-fourths inch into the strike receiving the projected bolt. The cylinder shall have a cylinder guard, a minimum of five pin tumblers, and shall be connected to the inner portion of the lock by connecting screws of at least one-fourth inch diameter. All installations shall be done so that performance of the locking device will meet the intended anti-burglary requirements. A dual locking mechanism constructed so that both deadbolt and latch can be retracted by a single action of the inside door knob, or lever, may be substituted provided it meets all other specifications for locking devices.

~~(e) Buildings containing four or more living units, OBC Chapter 10 applies.~~

~~(f) The inactive leaf of a wood frame door shall be equipped with metal flush bolts with a bolt projection a minimum of one inch at the top and bottom of the leaf.~~

~~(g) The inactive leaf of a metal frame double doors shall be equipped with metal flush bolts with a bolt projection a minimum of five eighths inch, at the top and bottom of the leaf.~~

~~(h) Glazing in exterior doors or within forty inches of any locking mechanism shall be of fully tempered glass or rated burglary resistant glazing (example: Lexan), except when double cylinder deadbolt locks are installed. (Ord. 7-05. Passed 1-24-05.)~~

~~1329.08 WINDOWS AND SLIDING GLASS DOORS.~~

~~(a) Sliding Glass Doors. Sliding glass doors shall be equipped as follows:~~

~~(1) The operable sliding glass door shall be installed on the inside track.~~

~~(2) Sliding patio doors shall be constructed and/or adjusted to prevent lift-out and removal of any panel from the exterior side while in a closed position.~~

~~(3) All units shall be installed with interior or concealed fasteners.~~

~~(4) A secondary locking device shall be required on all sliding glass doors. (Example: Patented bar, keyed bolt, pinned bolt, etc.)~~

~~(b) Windows:~~

~~(1) Windows shall be so constructed that when the window is in the closed position, it cannot be lifted from the frame.~~

~~(2) All windows must have manual latches and a secondary securing device.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

~~1329.09 STREET IDENTIFICATION NUMBERS.~~

~~All residential buildings constructed shall display a street number in a prominent location on the street side of the residence in such position that the number is easily visible to approaching emergency vehicles. The numerals shall be Arabic, no less than four inches in height, three quarters inches wide stroke, and shall be a contrasting color to the background to which they are attached. (Ord. 7-05. Passed 1-24-05.)~~

~~1329.10 EARLY FIRE WARNING SYSTEMS.~~

~~(a) Scope. "Early fire warning system" means an approved automatic warning system of one or more devices that detects any of the products of combustion including visible or invisible particles of combustion and that produces an audible alarm signal in a building for the purpose of notifying the occupants thereof of the presence of a fire. The primary power for such systems shall be the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Systems with detectors sensitive to heat only are not included in this definition for purposes of this section.~~

~~For the purpose of installation and maintenance only, a system shall be deemed approved if listed by the Underwriters Laboratories, Inc., and conforms to the applicable sections of NFPA Standard No. 72 "National Fire Alarm Code" As referenced in Chapter Thirty five of the OBC.~~

~~(b) Early Fire Warning System Required as per Section 313 OBOA Code and Chapter 9 OBC.~~

~~(c) Compliance as to Maintenance:~~

- ~~(1) In an owner-occupied single-unit structure it shall be the responsibility of the owner to maintain or have maintained the required early fire warning system.~~
- ~~(2) In a single-unit structure not owner-occupied, it shall be the responsibility of the occupant to maintain or have maintained the early fire warning system.~~
- ~~(3) In a multi-unit structure, whether owner-occupied or not, it shall be the responsibility of each unit occupant to maintain or have maintained the early fire warning system. It shall be the responsibility of the owner to maintain or have maintained any detectors required in cellars or basements.~~
- ~~(4) "Maintain" means keeping the unit in a fully operational condition.~~

~~(d) Certificate Required:~~

- ~~(1) No person shall sell, offer for sale, or use any fire protection or fire fighting equipment that does not meet the minimum standards established by the Fire Marshal in the State Fire Code.~~
 - ~~(2) Except for public and private mobile fire trucks, no person shall service, test, repair or install for profit any fire protection or fire fighting equipment without a certificate issued by the Fire Marshal.~~
- ~~(Ord. 7-05, Passed 1-24-05.)~~

CHAPTER 1331
Accessory Buildings and Structures

<p>1331.01 General provisions. 1331.02 Fences. 1331.03 Detached sheds; utility buildings.</p>	<p>1331.04 Decks, porches, patio covers, carports. 1331.05 Radio and television towers. 1331.06 Swimming pools.</p>
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CROSS REFERENCES

Swimming pools - see OAC Ch. 3701-31
Signs - see BLDG., Ch. 1333

1331.01 GENERAL PROVISIONS.

The location, size and height of accessory buildings, structures and fences is controlled by the Zoning Ordinance. No building or structure shall be permitted on any easement; however, fences may be placed along or on easements at the property owner's risk.
(Ord. 7-05. Passed 1-24-05.)

1331.02 FENCES.

(a) No fence, board wall, screen, hedge, or structure in the nature of a fence shall be erected or be maintained in such position or place so as to be dangerous or detrimental to the health or safety of persons living in any house or adjoining premises, or in any way obstruct the view so as to endanger public traffic on the streets, and any fence, board wall, screen, hedge, or structure in the nature of a fence so erected or maintained shall be removed within three days upon written notice from the Building Superintendent served upon the owner, agent or occupant of the premises where such obstruction has been erected or is maintained.

(b) Barbed wire shall not be used except at the top of fences at least six feet high enclosing business or manufacturing premises, and when so used shall be at least seven feet above the ground and the supporting arms shall extend inward toward the property enclosed when constructed on the property line.

(c) No fence charged with electricity, except burglar alarms or for retaining livestock, will be permitted at any time.

(d) Building permits are required for fences over four feet in height,(See Section 1180.04(B)(1). **A NO COST ZONING CRETIFICATE IS REQUIRED FOR FENCES FOUR FEET OR LESS IN HEIGHT.** (Ord. 7-05. Passed 1-24-05.)

1331.03 DETACHED SHEDS; UTILITY BUILDINGS.

(a) Zoning certificates are required for all sheds or utility buildings with an area of ~~150~~ **100** square feet or less ~~on wooden skids~~ at no cost. If a foundation or slab is involved, a building permit in addition to the zoning certificate is necessary for foundation or slab only.

(b) Permits are required for all buildings or structures over ~~150~~ **100** square feet.

(c) All **DETACHED** structures, regardless of size, must be positively attached to the ground to resist the wind and flood loads. ~~as per the design categories in Chapter 1325.~~
(Ord. 7-05. Passed 1-24-05.)

1331.04 DECKS, PORCHES, PATIO COVERS, CARPORTS.

Accessory structures added to the principal building shall require a permit. The foundation for such structures shall be set at the same frost depth as the principal building foundation. Roof sheathing shall be one-half inch thick minimum and fifteen pound felt is required under shingles. (Ord. 7-05. Passed 1-24-05.)

1331.05 RADIO AND TELEVISION TOWERS.

(a) Towers. Amateur radio and television towers shall not be higher than sixty-six feet and shall be self-supporting. Guy wires or other accessories shall not cross or encroach upon any street or other public space, or over any electric power lines. A building permit is required and construction shall meet the requirements of this Code. Grounding is required.

(b) Antennas. Antenna structures for private radio or television reception not more than twelve feet in height may be erected and maintained on the roof of any building without a building permit. Such a structure, however, shall not be erected so as to injure the roof covering and when removed from the roof the roof covering shall be repaired to maintain weather and water tightness. The installation shall not be erected nearer to the lot line than the total height of the antenna structure. Nor shall such structure be installed near electric power lines or encroach upon any street or other public space.
(Ord. 7-05. Passed 1-24-05.)

1331.06 SWIMMING POOLS.

(a) General Requirements. A building permit is required for the installation of both inground and above-ground swimming pools, whether public or private. Two **OR MORE** sets of construction drawings must be submitted for approval, along with two **OR MORE** plot plans showing the location of the pool and any other structures on the property.

An electric permit is required for filter and pump installations on both inground and above-ground pools, with a ground fault circuit interrupter. An electrical permit and inspection is also required for the placement and bonding of steel reinforcing for an inground pool. For inground pools, it is necessary that the City be advised as to where the excavated dirt will be dumped or placed prior to the issuance of the building permit. The location must be stated on the application or shown on the plot plan.

(b) Plans. Plans shall accurately show dimensions and construction of pool and appurtenances and properly establish distances to lot lines, buildings, walks, and fences; details of water supply system, drainage, and water disposal systems, and all appurtenances pertaining to the swimming pool. Detailed plans of structures, vertical elevations and sections through the pool showing depth shall be included.

(c) Swimming Pool Safety Devices. Every person owning land on which there is situated a swimming pool, which contains ~~eighteen~~ **TWENTY FOUR (24)** inches or more of water in depth at any point, shall erect and maintain thereon an adequate enclosure either surrounding the property or pool area, sufficient to make such body of water inaccessible to small children. Such enclosure, including gates therein, must be not less than four feet above the underlying ground; all gates must be self-latching with latches placed four feet above the underlying ground or otherwise made inaccessible from the outside to small children.

A natural barrier, hedge, pool cover, or other protective device approved by the Building Superintendent may be used so long as the degree of protection afforded by the substituted devices or structures is not less than the protection afforded by the enclosure, gate and latch described herein. (Ord. 7-05. Passed 1-24-05.)

CHAPTER 1333
Signs

1333.01	Scope.	1333.07	License requirements.
1333.02	Standards.	1333.08	Liability insurance required.
1333.03	Sign erector's license.	1333.09	Permits.
1333.04	Inspection of outdoor signs.	1333.10	Outdoor sign permit and inspection fees.
1333.05	Civil Service Clerk.		
1333.06	Duties of Civil Service Clerk.		

CROSS REFERENCES

Power to regulate advertising - see Ohio R.C. 715.65
Advertising on highways - see Ohio R.C. Ch. 5516
Zoning regulations - see P. & Z. Ch. 1187

1333.01 SCOPE.

This Code deals with outdoor signs only. Refer to Chapter 1187 of Part Eleven - Planning and Zoning Code for definitions of allowable signage, and regulations regarding size, height and placement of outdoor signs.

(Ord. 7-05. Passed 1-24-05.)

1333.02 STANDARDS.

CHAPTER 31, Section 3107 "Signs" of the OBC shall govern the construction, alteration, repair and maintenance of all signs in respect to structural and fire safety. In addition, the following requirements shall be met:

- (a) Swinging Signs. Every sign shall be rigidly hung so that it will not swing or vibrate in a strong wind. No hinge or loose joints will be permitted in any sign or in any of the various sections of the sign.
- (b) Billboards (Poster Panels). The lower edge of every such billboard shall be not less than three feet above the ground, and the space between the lower edge of the billboard and the ground shall be left open, or may be covered with lattice work of wood.
- (c) Temporary Signs. Temporary signs shall be strongly constructed and shall be securely attached to their supports.

- (d) Maintenance. It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean, safe, sanitary and healthful condition. Ground signs shall be kept clear of weeds and rubbish three feet in front of and to such distance in the rear as will include all bracing, guys and stayposts of such sign.
- (e) Responsibility. The owner of each outdoor sign and the owner of the premises on which such sign is erected, affixed, attached or maintained shall each be individually and separately responsible for its maintenance and for the removal of every sign which has been ordered removed under provisions of this Code.
(Ord. 7-05. Passed 1-24-05.)

1333.03 SIGN ERECTOR'S LICENSE.

(a) License. No person, firm or corporation shall act, engage in, or advertise or otherwise represent themselves as engaging in the business of erecting, constructing, maintaining, painting or repairing any outdoor advertising displays, signs and billboards, as defined in this chapter, unless an authorized representative of such person, firm or corporation shall first obtain a sign erector's license as provided in this chapter.

(b) Responsibility. In case of a person, firm or corporation employing a sign erector's licenseholder such person and the firm or corporation and the sign erector's licenseholder shall be responsible for all violations under this Code.

(c) Eligibility. All applicants desiring a license to engage in the business of erecting, constructing, maintaining or repairing any outdoor display, sign or billboard as defined in this chapter, must have reached the age of twenty-one years, be a citizen of the United States, and have had three years practical experience with a recognized, reputable concern engaged in the business of outdoor display, sign or billboard advertising.
(Ord. 7-05. Passed 1-24-05.)

1333.04 INSPECTION OF OUTDOOR SIGNS.

(a) The duties of the Building Inspector, as relating to sign and outdoor display inspection shall be to point out in what respect such plans or specifications are deficient or in violation of this Code; to inspect all work in the area covered by this Code for which permits are required under this Code and to see that all such work is performed in accordance with the provisions hereof; to stop any work being done in violation of the terms hereof and to post "stop work" signs therefor; to order such work removed or corrected to conform herewith; to issue certificate of approval on satisfactory completion of projects; provided, however, that no "stop work" order so posted shall affect work not governed by this Code except where the progress of any such work would interfere with inspection of work governed by this Code.

(b) The Building Inspector shall enforce the provisions of this Code relative to outdoor signs and he or his duly authorized representative may enter any building, structure or premises in the City to perform any duty imposed on him by this Code.
(Ord. 7-05. Passed 1-24-05.)

1333.05 CIVIL SERVICE CLERK.

The Civil Service Clerk shall examine applicants for sign erector's license.
(Ord. 7-05. Passed 1-24-05.)

1333.06 DUTIES OR CIVIL SERVICE CLERK.

(a) Rules and Procedure. The Building Superintendent shall make such rules and prescribe such procedure as may be necessary to achieve conformity with this Code.

(b) Examinations. The Civil Service Clerk shall have complete control over the examinations of applicants for sign erector's license under this Code.

(c) Examination Periods. Examinations of applicants shall be conducted at least once each calendar month, if needed, at such time and place as the Civil Service Clerk may designate. Examination questions shall pertain to the particular license being applied for; shall cover the requirements of the Ohio Basic Building Code and the provisions of the Sign Ordinance Codes.

(d) Passing Grade. The passing grade shall be seventy percent (70%). Any applicant who shall fail to receive a passing grade shall be eligible to again apply for examination in the following calendar quarter. The Civil Service Clerk shall keep an accurate record of all applications for examination, of the examinations given and the results thereof, in such depository as may be designated.

(e) Certificate of License. The Civil Service Clerk shall certify to the Building Superintendent the names of all successful applicants for a sign erector's license and shall issue a recommendation for the issuance of a sign erector's license.

(f) Suspension of License. The Building Superintendent shall have the authority to suspend or revoke any sign erector's license granted under this Code for violations thereof, after the license holder is notified in writing of a complaint, and after the license holder has had the opportunity to appear before the Building Superintendent to present his/her facts concerning the complaint.

(Ord. 7-05. Passed 1-24-05.)

1333.07 LICENSE REQUIREMENTS.

(a) License Holder Required. No person, firm or corporation shall act, engage in, or advertise or otherwise represent themselves as engaging in the business of erecting, constructing, maintaining, painting or repairing any outdoor advertising displays, signs and billboards as defined in this chapter, within the corporate limits of the City, unless an authorized representative of such person, firm or corporation shall first have obtained a sign erector's license hereunder, and who shall be the authorized representative of the person, firm or corporation in all matters pertaining to this Code. The authorized representative, who is the holder of a sign erector's license, may not apply for permits for more than one person, firm or corporation.

(b) Grace Period Without Licenseholder. Should the authorized representative holder of a sign erector's license terminate or sever his employment or association with such person, firm or corporation, such person, firm or corporation shall sixty days thereafter cease all outdoor advertising display, sign or billboard work until a sign erector's license is acquired.

- (c) Application Fee; Examination.
- (1) An applicant for a sign erector's license shall make application for examination on the standard form of the Building Inspection Division (See Chapter 1315). This form shall contain sufficient information to determine whether or not the applicant meets the requirements set forth in this Code.
 - (2) The initial fee for a sign erector's license shall be one hundred dollars (\$100.00) for the first year, such sum to be deposited with the City upon making the application for a sign erector's license. Any applicant failing in his examination shall not have the fee returned to him but shall be entitled to two re-examinations. After the third examination, the fee is forfeited to the City. This license is not transferable.
 - (3) The applicant shall certify that a place of business is, or will be, maintained by such applicant or by the person, firm or corporation employing such applicant.

(d) Issuance of Sign Erector's License. Any applicant having fully complied with the provisions of this chapter and having successfully passed the required examination shall be issued a sign erector's license by the Building Division.

(e) License Renewal. Any holder of a sign erector's license shall, upon payment to the authorized authority of the fee of thirty-five dollars (\$35.00) be issued a renewal thereof for the second and any subsequent years; provided, however, that upon failure of any such license holder to apply for and to pay for a renewal of the license on or before January 31 following the expiration of the previous year's license, such licensee shall forfeit such existing license and it shall be unlawful for any person to perform any work governed by this chapter and Code until such time as a renewal license is issued. In the event of the failure of the sign erector's license holder to renew such license on or before January 31, in the year following the expiration of the license, there shall be charged a fee of thirty-five dollars (\$35.00) for each year such license has not been renewed, together with a penalty of thirty-five dollars (\$35.00).

(f) Unlawful to Loan License. No sign erector's licensee shall loan his license or obtain a permit for work by others in his name for the use of any other person.
(Ord. 7-05. Passed 1-24-05.)

1333.08 LIABILITY INSURANCE REQUIRED.

(a) Each applicant for a sign erector's license shall provide a certificate indicating that valid liability insurance in solvent insurance companies licensed to do business by the State of Ohio, has been obtained and maintained. Such insurance shall contain standard liability coverage provisions with respect to the business of such person, and insuring such person against any claims for bodily injury or property damage arising out of any negligent act of such person or his/her agents or employees occurring in the course of such business, with minimum limits of liability as follows:

\$250,000/\$500,000 bodily injury liability
\$250,000 property damage liability.

(b) Such insurance policy shall contain a clause that ten days notice of cancellation, or material change in the policy, shall be furnished to the City of Fairfield Building Division, and shall also provide that the City of Fairfield, Ohio, is a named insured along with the contractor applicant, if possible.

(c) The requirements set forth shall be mandatory for all new applicants. All holders of licenses issued prior to the enactment of this subsection shall be required to comply within thirty days of official notification of the requirement by the City of Fairfield Building Division. (Ord. 7-05. Passed 1-24-05.)

1333.09 PERMITS.

(a) Permits Required. No person, firm or corporation shall erect, construct, maintain, paint or repair any sign for which a permit is required without first obtaining a permit therefor from the Building Division.

(b) Licensed Sign Erector. Sign permits shall only be issued to licensed sign erectors, except as listed in Section 1187.03(u) of the Zoning Code.

(c) Emergency Work. In case of emergency due to an unsafe sign, the holder of a sign erector's license may proceed with the work and file the application for a permit within twenty-four hours, Saturdays, Sundays and holidays excepted.

(d) Plans Required. All applications for the erection of signs, billboards or electric signs shall be accompanied by such drawings or description as are necessary to fully advise the Building Superintendent of the location, construction, material, and manner of securing the proposed sign or billboard. If these descriptions conform to the regulations in this Code and to the Zoning Ordinance, the Building Superintendent shall issue a permit upon payment of the required fee.

(e) Electrical Permit. An electrical permit shall be secured for all electrical wiring and electrical installations associated with an outdoor sign.

(f) Exemptions.

- (1) Permits are not required for real estate signs, construction signs and window signs.
- (2) Such exemptions shall, however, apply to the requirement for a permit only and shall not be construed as relieving an owner or sign erector of such installation from responsibility for zoning provisions, erection and maintenance in a safe condition, or from conformity with applicable provisions of this chapter governing location, material, construction and erection.
- (3) Note that certain signs exempted by the Ohio Building Code, specifically walls signs, ground signs and projecting signs, are not totally exempted herein.

- (4) It shall be the responsibility of an owner or sign erector to ascertain that such exempted sign erected conforms to the provisions of this Code and the Zoning Ordinance. In the event that an exempted sign is erected and is in violation of any provisions of this Code or the Zoning Ordinance, it shall immediately be changed to comply with such provisions or removed upon order of the Building Superintendent.
(Ord. 7-05. Passed 1-24-05.)

1333.10 OUTDOOR SIGN PERMIT AND INSPECTION FEES.

Fees. As required by Section 1311.01, Payment required before permit issued, Penalty and 1311.03, Schedule of Fees.
(Ord. 7-05. Passed 1-24-05.)

CHAPTER 1335
Electrical Work

1335.01	Scope and standards.	1335.07	Permits.
1335.02	Electrical licenses.	1335.08	Schedule of electrical permit and inspection fees.
REGISTRATION		1335.09	Beginning work without permit.
1335.03	Electrical inspector.	1335.10	Approved methods.
1335.04	Civil Service Clerk.	1335.11	Inspections.
RESERVED		1335.12	Appeals.
1335.05	Duties of Civil Service Clerk.		
RESERVED			
1335.06	Specific requirements for Licensing-REGISTRATIONS		

CROSS REFERENCES

Adoption by reference - see CHTR. §4.11
Craft license - see BLDG. Ch. 1315

1335.01 SCOPE AND STANDARDS.

(a) For the purpose of this Code, electrical installations shall include all electrical wiring, appliances, apparatus, and devices used in furnishing light, heat, power or for any other purpose in the City.

(b) Except as otherwise provided in this Code and except where more restrictive provisions govern, all electrical work shall be in conformity with the National Electrical Code published by the National Fire Protection Association and adopted by reference in the Ohio Building Code, adopted by Section 1301.03(b) of the Building Code **ORDINANCE**. (Ord. 7-05. Passed 1-24-05.)

1335.02 ELECTRICAL LICENSES REGISTRATIONS.

(a) ~~License-~~**REGISTRATION**

- (1) No person or persons shall, without complying with the provisions herein, install wires, conduit apparatus, fixtures, or other appliances in or on any public or private building for lighting or heating by electricity or for the use of electrical power or repair or change any electrical wires or wire in any public or private building; and the Building Superintendent shall condemn and cause immediately to be removed any and all wires which he finds to have been installed in violation of this Code.
- (2) This Code shall not be so construed as to forbid the attachment, by other than duly licensed **REGISTERED** persons, of ordinary appliances, lamps and apparatus for which circuits and wires were installed and designed.

(b) Responsibility. In case of a person, firm or corporation employing a ~~master electrical licenseholder~~ **REGISTERED ELECTRICIAN**, both such person, firm or corporation and the ~~master electrician licenseholder~~ **REGISTERED ELECTRICIAN** shall be responsible for all violations under this Code.

(c) Eligibility.

(1) ~~An applicant for a master electrician license shall have had at least eight years practical experience in electrical work, or four years as a journeyman, or shall have satisfactorily completed a course of study in electrical engineering given by a recognized school, plus one year of practical experience in electrical engineering, or shall be a graduate electrical engineer. AN ELECTRICAL REGISTRATION MUST HAVE A CURRENT LICENSE WITH THE OHIO CONSTRUCTION INDUSTRY LICENSING BOARD AS A MASTER ELECTRICIAN ISSUED UNDER OHIO REVISED CODE CHAPTER 4740.~~

~~(2) A. An applicant for an industrial electrician license shall have at least ten years practical experience in electrical work, as defined in this Code, or shall have satisfactorily completed a course of study in electrical engineering given by a recognized school, plus one year of practical experience in electrical engineering.~~

~~B. The requirements of this subsection shall be waived in the case where the industry employs a plant engineer as defined in Section 1309.01.~~

~~(3) An applicant for a HVAC electrician license shall be a licensed HVAC journeyman or master licenseholder. The licensed HVAC journeyman may be in the steady employ of only one master HVAC licenseholder.~~

(d) Liability Insurance Required. Each applicant for an electrical license **REGISTRATION** shall provide a certificate indicating that valid liability insurance in solvent insurance companies licensed to do business by the State of Ohio, has been obtained and maintained. Such insurance shall contain standard liability coverage provisions with respect to the business of such person and insuring such person against any claims for bodily injury or property damage arising out of any negligent act of such person or his agents or employees occurring in the course of such business, with minimum limits of liability as follows:

\$250,000/\$500,000 bodily injury liability

\$250,000 property damage liability

(1) Such insurance policy shall contain a clause that ten days notice of cancellation, or material change in the policy, shall be furnished to the City of Fairfield Building Division, and shall also provide that the City of Fairfield is a named insured along with the contractor applicant, if possible.

(2) The requirements set forth shall be mandatory for all new applicants. All holders of licenses **REGISTRATIONS** issued prior to the enactment of this subsection shall be required to comply within thirty days of official notification of the requirement by the City Building Division.

~~(e) Exemption to Electrical License Requirement. Persons performing repairs to the underground electrical service conductors on existing one, two and three family residential homes necessitated by outages due to any fault shall be exempt from the requirements of electrical licenses. All work and materials shall conform to Article 110 of the National Electric Code.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

1335.03 ELECTRICAL INSPECTOR.

(a) Appointment and Title. There is hereby created the office of Electrical Inspector for the purpose of inspecting electrical work and equipment listed in Section 1335.01 of this Code. This inspector shall be known as the Electrical Inspector and shall be appointed in accordance with the rules and regulations of the Civil Service Commission. He shall be a certified electrical safety inspector, certified by the State of Ohio, Board of Building Standards.

(b) Duties.

- (1) The duties of the Electrical Inspector shall be to inspect all electrical work in the area covered by this Code for which permits are required under this Code and to see that all such electrical work is performed in accordance with the provisions hereof; to stop any electrical work being done in violation of the terms hereof and to post "stop work" signs therefor; to order any such electrical work removed or corrected to conform herewith; to issue certificate of electrical inspection on satisfactory completion of projects, provided, however, that no "stop work" order so posted shall affect work not governed by this Code except where the progress of any such work would interfere with inspection of electrical work governed by this Code. The Electrical Inspector shall enforce the provisions of this Code relative to electrical work and he or his duly authorized representative may enter any building, structure or premises in the City to perform any duty imposed on him by this Code.
- (2) The Electrical Inspector may be assigned to duties in addition to his duties as Electrical Inspector.
(Ord. 7-05. Passed 1-24-05.)

~~1335.04 CIVIL SERVICE CLERK.~~

~~The Civil Service Clerk shall examine applicants for electrician licenses.
(Ord. 7-05. Passed 1-24-05.)~~

~~1335.05 DUTIES OF CIVIL SERVICE CLERK.~~

~~(a) Rules and Procedure. The Building Superintendent shall make such rules and prescribe such procedure as may be necessary to achieve conformity with this Code.~~

~~(b) Examinations.~~

- ~~(1) The Civil Service Clerk shall have complete control over the examinations of applicants for electrician licenses under this Code.~~
- ~~(2) An industrial electrician license shall be issued without examination upon presentation of a certificate of qualification from his full-time employer.~~

~~(c) Examination Periods. Examinations of applicants shall be conducted at least once each calendar month, if needed, at such time and place as the Civil Service Clerk may designate. Examination questions shall pertain to the particular license being applied for, shall cover the requirements of the National Electric Code and the provisions of this Code.~~

~~(d) Passing Grade. The passing grade shall be seventy percent (70%). Any applicant who shall fail to receive a passing grade shall be eligible to again apply for examination in the following calendar quarter. The Civil Service Clerk shall keep an accurate record of all applications for examination, of the examinations given and the results thereof, for a period of three years in such depository as may be designated.~~

~~(e) Certificate of License. The Civil Service Clerk shall certify to the proper authority the names of all successful applicants for an electrician's license and shall issue a recommendation for the issuance of an electrical license.~~

~~(f) Suspension of License.~~

~~(1) The Board of Building Appeals shall have the authority to suspend or revoke any electrician's license granted under this Code for violations thereof, after the licenseholder is notified in writing of a complaint, and after the licenseholder has had the opportunity to appear before the Board of Building Appeals to present his facts concerning the complaint.~~

~~(2) The Civil Service Clerk shall suspend immediately an industrial license upon termination of employment by the certifying employer.~~

~~(Ord. 7-05, Passed 1-24-05.)~~

1335.06 SPECIFIC REQUIREMENTS FOR LICENSING REGISTRATION.

(a) ~~License Holder~~ **REGISTERED ELECTRICIAN Required.** No person, except as provided in subsection (k) hereof, firm or corporation, shall install upon real property, wires, conduit, apparatus, fixtures, or other appliances in or on any public or private building for light or heating by electricity or for the use of electrical power or repair or change any electrical wire or wires in any public or private building, unless such person, firm or corporation has regularly and steadily in his/its employ a holder of a ~~master electrician license~~ **REGISTERED ELECTRICIAN**, who shall be the authorized representative of the person, firm or corporation in all matters pertaining to this Code. The authorized representative who is the holder of a **license REGISTRATION** may not apply for permits for more than one person, firm or corporation.

(b) ~~Grace Period Without License Holder~~ **REGISTERED ELECTRICIAN.** Should the authorized representative holder of a ~~master's license, HVAC electrician's license, or industrial electrician's license~~ **ELECTRICAL REGISTRATION** terminate or sever his employment, partnership or association with such person, firm or corporation, such person, firm or corporation shall have sixty days thereafter to cease all electrical work until the proper ~~license~~ **REGISTRATION** is acquired.

(c) ~~Application; Examination;~~ **REGISTRATION Fee.**

(1) An applicant for any ~~license~~ **REGISTRATION** herein shall make application for examination on the standard form of the Building Inspection Division. (See Chapter 1315.) This form shall contain sufficient information to permit the Building Superintendent to determine whether or not the applicant meets the requirements set forth in this Code.

(2) ~~An examination fee~~ **THE FIRST YEAR REGISTRATION FEE** which shall include the ~~license~~ **REGISTRATION** fee until the next following December 31 shall be in an amount as follows:

Examination/License REGISTRATION	Fee
Master Electrician	\$100.00
Industrial electrician	25.00
HVAC electrician	35.00

- (3) ~~Any applicant failing in his examination shall not have his fee returned to him but shall be entitled to two re-examinations within a year following the first examination, such re-examination to be taken not more than once each calendar quarter. If the applicant fails to pass the examination within one year, the examination fee is forfeited to the City. These licenses shall not be transferable.~~
- (4) ~~Any applicant for a master electrician license must produce evidence showing that a place of business is or will be maintained by such applicant or by the person, firm or corporation employing such applicant.~~
- (5) ~~An industrial electrician's license shall be issued after certification by the Civil Service Clerk without examination upon presentation to the Building Superintendent of a certificate of qualification from his full-time employer. No examination is required for an apprentice electrician license.~~
- (d) ~~Forms of License. Three forms of license shall be issued, as follows:~~
- (1) ~~Class "A". Master Electrician License. Authorizing work by any person, firm or corporation or their employees in general electrical work.~~
- (2) ~~Class "C". Industrial Electrician License. Authorizing an employee of a manufacturing plant to perform and supervise all electrical work performed at the site of manufacturing of such plant. There need not be more than one licenseholder for each plant.~~
- (3) ~~Class "E". HVAC Electrician License. Authorizing an individual to install electrical work related to the installation of heating, ventilating and air conditioning equipment in accordance with this chapter.~~
- (e) ~~Issuance of Master Electrician License. Any applicant having complied with the provisions of this Code and having successfully passed the examination for master electrician as prescribed shall be certified by the Civil Service Clerk to the Building Division to be issued a master license.~~
- (f) ~~Issuance of Industrial Electrician License. An industrial electrician license shall be issued by the Building Division only to an individual, and shall not be transferable. It shall be in effect only when the holder is a full-time employee of a manufacturing plant.~~
- (g) ~~Issuance of HVAC Electrician License. An HVAC electrician license shall only be issued to an individual and shall not be transferable. Any applicant having fully complied with the provisions of this Code and having successfully passed the required examination for HVAC electrician shall upon recommendation of the Civil Service Clerk be issued a license by the Building Division.~~

(h) (d) License REGISTRATION Renewal; Fees.

- (1) ~~Electrician licenses of all classes ELECTRICAL REGISTRATIONS may be renewed as much as one month prior to their expiration date, upon payment to the Building Division of the appropriate fee. Fees for license REGISTRATION renewals shall be as follows:~~

<u>License REGISTRATION</u>	<u>Fee</u>
Master Electrician	\$35.00
Industrial electrician	25.00
HVAC electrician	20.00

- (2) A one month extension beyond the expiration date of ~~electrician licenses~~ **ELECTRICAL REGISTRATION** is provided by this Code, in which time the ~~licenses~~ **REGISTRATION** may be renewed without penalty. However, failure to renew an ~~electrician license~~ **ELECTRICAL REGISTRATION** on or before January 31 following the expiration date of the ~~license~~ **REGISTRATION** terminates the ~~license~~ **REGISTRATION** and such ~~license~~ **REGISTRATION** is forfeited for nonpayment of the renewal fee.
- (3) No person whose ~~electrician license~~ **ELECTRICAL REGISTRATION** has not been renewed under provisions of this Code shall perform any work governed by this Code until such time as a **REGISTRATION** renewal ~~license~~ is issued.
- (4) Any such ~~license~~ **REGISTRATION** forfeited for nonpayment of the renewal fee may be reinstated upon fee payment according to the following schedule:

Delinquent License REGISTRATION Renewal Fee Schedule

- A. ~~Master Licenses~~ **ELECTRICAL REGISTRATION**: \$35.00 renewal fee for each year the license has not been renewed plus a \$35.00 penalty.
- B. ~~Industrial Licenses~~: \$25.00 renewal fee for each year the license has not been renewed plus a \$25.00 penalty.
- C. ~~HVAC Electrician License~~: \$20.00 renewal fee for each year the license has not been renewed plus a \$20.00 penalty.
- (5) In the event a period longer than three years has expired from the date of the expiration of the ~~license~~ **REGISTRATION** prior to an application by the holder thereof for renewal, no ~~license~~ **REGISTRATION** shall be issued by the Civil Service Clerk without reexamination of the applicant for renewal and **WITHOUT** the payment of examination **REGISTRATION** fees as set forth in Section 1335.06(c). Applicants possessing a current electrical contractor's license from the State of Ohio, issued under Ohio Revised Code Chapter 4740, shall pay renewal fees only without reexamination.

(i) Owner-Occupant Exemption. The owner-occupant of a single-family dwelling may, with the assistance of any member of his family or household, personally perform, in such house, any work governed by this Code without a ~~license~~ **REGISTRATION**, provided that such owner shall obtain a permit for any such work and shall call for inspection as hereinafter provided.

(j) Unlawful to Loan License REGISTRATION. It shall be unlawful for an ~~electrician license holder~~ **A REGISTERED ELECTRICIAN** to loan his ~~license~~ **REGISTRATION** to obtain a permit for work by others in his name for the use of any other person.

~~(k) Reciprocity.~~ The Building Superintendent may grant licenses under this section without examination pursuant to reciprocity agreements with other jurisdictions in which the applicant is licensed. Reciprocity agreements must be approved by the City Manager. In addition to reciprocity agreements with other jurisdictions, applicants possessing a current electrical contractor's license from the State of Ohio, issued under Ohio Revised Code Chapter 4740, will also be given reciprocity. (Ord. 7-05. Passed 1-24-05.)

1335.07 PERMITS.

(a) Permit to Do Work Required.

- (1) No person, firm or corporation, unless herein specifically exempt, shall

install any electrical work as set forth in Section 1335.02 without the holder of a ~~master electrician license~~ **REGISTERED ELECTRICIAN** first making written application and securing a permit therefor, setting forth the nature of the work to be performed.

- ~~(2) In existing dwellings HVAC electrician license holders may apply for and secure permits to install electrical work related to the installation of a single furnace or space heating appliance and/or a single air conditioning unit not exceeding three ton capacity, except this shall not include the installation of electrical main services or electric service entrances when such are affected, or electric heat appliances.~~
- ~~(3) Load circulations and or drawing approval required unless waived by the Building Superintendent.~~

(b) Emergency Work. In case of emergency, a master **REGISTERED** electrician may proceed with the work and file the application for a permit within twenty-four hours, Saturdays, Sundays and holidays excepted.

(c) Plans Required. The application for a permit shall be accompanied by all necessary plans, in duplicate, for the proposed construction, installation or alteration and with all proper and sufficient information relating thereto, as required by the Building Superintendent.

(d) Minor Work Requires No Permit. No permit shall be required for work as follows:

- (1) Minor repair work such as repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping joints and repairing drop cords, the replacement of lamps or the connection of portable devices to suitable receptacles which have been permanently installed or the repair or replacement of motors and/or motor controls with motors and/or motor controls of equal or smaller capacity where no change of wiring other than terminal connectors is required.
- (2) The installation of wiring, devices or equipment for the operation of signals or for the transmission of intelligence where such wiring devices or equipment are an integral part of a communication system owned or operated by a telephone or telegraph company, and the installation of electric wiring, devices or equipment installed for the use of such company to provide lighting for drive-up, walk-up and telephone booths.
- (3) The installation of electric wiring, devices or equipment installed for or by a public utility corporation operating under a franchise from the City to transmit and sell or use electrical energy, provided such wiring devices or equipment are for the use of such corporation in its operation as a public utility on its own premises.
- (4) Any electrical work performed as a part of a manufacturing process in a manufacturing plant.
- ~~(5) The repair of underground electrical service conductors for existing one, two and three family residential homes shall not require a permit and no inspections are required. (Ord. 7-05. Passed 1-24-05.)~~

1335.08 SCHEDULE OF ELECTRICAL PERMIT AND INSPECTION FEES.

(a) Fees. Before any permit is granted for the installation or alteration of electric wiring, devices or equipment, the person, firm or corporation making application for such permit shall pay to the City a fee predicated upon the following schedule for the inspection to be made AS DEFINED IN SECTION 1311.03 SCHEDULE OF FEES.

(b) Electrical Permits and Inspection Fees:

<u>Residential:</u>	
Single family dwelling (new)	\$60.00 per residence
Remodeling and additions	40.00
<u>Multi Unit Structures:</u>	
First 12 units	60.00 per unit
Each additional unit	50.00 per unit
<u>Commercial and Industrial Structures (new and additions):</u>	
New structures, remodeling and additions over \$5,000	\$75.00 base fee plus \$2.00 for every 1,000 square feet.
Remodeling (\$5,000 or less)	40.00 base fee
Sign fee	25.00
Reinspection fee	25.00
Temporary heat release	25.00
Temporary pole release	25.00
Swimming pool bonding	25.00
Swimming pool wiring	25.00
Mobile home or manufactured house	25.00 per space
Baseboard strip heat	25.00

(c) In addition to the fees provided in subsection (b) above, for all permits or fees involving plan submittal for commercial or industrial structures, an additional fee for plan review cost equal to ten percent (10%) of the fee stated in subsection (b) above shall be charged and paid by the applicant before the permit is granted. (Ord. 7-05. Passed 1-24-05.)

1335.09 BEGINNING WORK WITHOUT PERMIT.

The fee for any work started prior to obtaining a permit shall be the greater of double the permit fee or \$100.00 for the first offense. The greater of double the permit fee or \$200.00 for the second and additional offense(s). However, the payment of such doubled fee shall not relieve any person from fully complying with all the requirements of this Code nor exempt them from any other penalty herein prescribed. (Ord. 7-05. Passed 1-24-05.)

1335.10 APPROVED METHODS.

(a) Rules and Regulations. Electric wiring, devices and equipment shall be installed in strict conformity with the National Electric Code, except that:

- (1) The use of aluminum and/or copper clad aluminum wire up to and including AWG No. 8 is prohibited in the City.
- (2) Residences with electric heating installations over twenty two KW shall be supplied with no less than a three hundred ampere service.

~~(b) Rewiring Existing Dwellings. When rewiring existing dwellings the following requirements shall be met:~~

- ~~(1) New electric services installed on existing buildings (replacements) shall be a minimum of 100 ampere, 3-wire.~~
- ~~(2) One 230-volt 50 ampere range circuit and receptacle shall be installed in the kitchen where no gas connection is available.~~
- ~~(3) Furnaces or boilers shall be on a separate circuit with a disconnect switch in sight of the unit.~~
- ~~(4) Pull chain fixtures shall not be installed above plumbing fixtures, laundry trays, etc.~~
- ~~(5) A lighting fixture shall be installed adjacent to central heating units.~~
- ~~(6) Lighting fixtures shall be installed near basement steps.~~
- ~~(7) One lighting circuit shall be provided for each 500 square feet of living area.~~
- ~~(8) Two twenty ampere circuits shall be provided for existing and additional required receptacles in the kitchen.~~
- ~~(9) Kitchen, bathroom and appliance circuits shall be grounded.~~
- ~~(10) A switch controlled lighting outlet shall be provided in the kitchen, hall, bath, bedroom, stairs and utility room. Porches, or entries, front, side or rear, may be bracket type for wall.~~
- ~~(11) A minimum of one duplex outlet for each fifty-five square feet of floor area in every habitable room is required and the receptacles shall be spaced at least twelve feet apart.~~
- ~~(12) GFI protection shall be installed in all locations as required by the National Electric Code. (Ord. 7-05. Passed 1-24-05.)~~

1335.11 INSPECTIONS.

(a) Notification; Time; Number of Inspections. Immediately upon completion of those portions of the installation which are thereafter to be concealed or covered, the electrical contractor shall notify the Electrical Inspector or the Building Inspection Division, giving the location of the work, that such portions of the installation are ready for inspection; and no person, firm or corporation shall lath over, plaster, or cover up any electrical work before such work has been inspected and the electrical sticker initialed. The Electrical Inspector shall have the right and authority to order the removal of all such lath, plaster, or covering which may have been placed over such work before same has been inspected. The Electrical Inspector must make inspection within two working days after notice, excepting Saturdays, Sundays and holidays. Final inspection on new installations to be made upon completion of such work. Inspection of repair, replacement or conversion work is to be made upon completion of such work. All inspections must be requested in person or by telephone by the electrical contractor.

(b) Stop Work Order. Wherever any work or project governed by the provisions of this chapter and for which a permit has been issued, as provided herein, is being performed or carried on in violation of any of the provisions of this Code, it shall be the duty of the Electrical Inspector to post a "stop work" order signed by the Building Superintendent, on the premises where such work is in progress; and to notify the permit holder or his agent of such stop work order and the reason therefor. After the posting of such notice, no person, firm or corporation shall do any further work on such project which would interfere with further inspections under this chapter, until such time as the defects or violations of this Code have been eliminated to the approval of the Electrical Inspector, and the "stop work" order has been removed by him.
(Ord. 7-05. Passed 1-24-05.)

1335.12 APPEALS.

An appeal may be taken to the Board of Building Appeals by anyone adversely affected by a decision with regard to the application of this Electrical Code, in accordance with Section 1317.08.
(Ord. 7-05. Passed 1-24-05.)

CHAPTER 1337
Heating, Ventilating and Air Conditioning

1337.01	Scope and standards.	1337.14	Reserved.
1337.02	HVAC license	1337.15	Reserved.
REGISTRATION.		1337.16	Reserved.
1337.03	Inspector of HVAC.	1337.17	Reserved.
1337.04	Civil Service Clerk.	1337.18	Reserved.
RESERVED		1337.19	Electric wiring.
1337.05	Duties of Civil Service Clerk.	1337.20	Reserved.
RESERVED		1337.21	Reserved.
1337.06	Specific requirements for licensing. REGISTRATION	1337.22	Reserved.
1337.07	Permits.	1337.23	Inspections.
1337.08	HVAC permit and inspection fees.	1337.24	Reserved.
1337.09	Permits for installation.	1337.25	Reserved.
1337.10	Heat loss.	1337.26	Reserved.
1337.11	Capacity and sizes of equipment.	1337.27	Reserved.
1337.12	Safety requirements.	1337.28	Wet heat and piping code.
1337.13	Codes.	1337.29	Air conditioning.

CROSS REFERENCES

Craft licenses - see BLDG. Ch. 1315
Design criteria - see BLDG. Ch. 1325
Electrical work - see BLDG. Ch. 1335

1337.01 SCOPE AND STANDARDS.

(a) For the purpose of this Code, heating, ventilating and air conditioning (HVAC) shall include, but is not limited to, the following types of systems and appurtenances, as defined and limited under other sections of this Code.

- (1) All warm air heat producing equipment of every type, whether ducted or nonducted, utilizing oil, gas, coal, wood, electric or any other energy source in their design, including, but not limited to:
- A. Forced air systems.
 - B. Gravity warm air systems.
 - C. Radiant heating systems.
 - D. Hydronic heating systems.
 - E. Electric heat pump systems.

- (2) All ventilating systems, whether handled by the same air distribution system used for heating/cooling, or if separate.
- (3) All required exhaust hood systems:
 - A. Restaurants.
 - B. Industrial process.
- (4) Cooling systems of every type designed and intended to maintain a level of comfort within the design temperature requirements as established in this Code.
(Ord. 7-05. Passed 1-24-05.)

1337.02 HVAC LICENSE REGISTRATION.

(a) License REGISTRATION. No person, firm or corporation shall act, engage in, or advertise or otherwise represent themselves as an HVAC contractor unless an authorized representative of such person, firm or corporation shall first obtain an HVAC license REGISTRATION as provided in this Code.

(b) Responsibility. In case of a person, firm or corporation employing a master REGISTERED HVAC licenseholder CONTRACTOR, both such person, firm or corporation and the REGISTERED HVAC licenseholder CONTRACTOR shall be responsible for all violations under this Code. (Ord. 85-83. Passed 6-27-83.)

(c) Eligibility. An applicant for a master HVAC license REGISTRATION shall have had ~~at least two years verifiable experience in heating, ventilating and air conditioning as defined in this Code, or shall have satisfactorily completed a course of study, acceptable to the Building Superintendent, in heating, ventilating and air conditioning, provided by an accredited school authorized by proper authority to teach heating, ventilating and air condition, plus one year of practical experience in heating, ventilating and air conditioning or shall be a graduate mechanical engineer.~~ **A CURRENT LICENSE WITH THE OHIO CONSTRUCTION INDUSTRY LICENSING BOARD AS A MASTER HVAC CONTRACTOR ISSUED UNDER OHIO REVISED CODE CHAPTER 4740.**

(d) Issuance of Master HVAC License REGISTRATION.

- (1) Any applicant having complied with the provisions of this Code ~~and having successfully passed the examination for a master HVAC license~~ and upon payment of the required fee shall be issued a master HVAC license REGISTRATION to perform and supervise HVAC work. This license REGISTRATION shall not be transferable.
- (2) Each applicant for master AN HVAC license REGISTRATION shall provide a certificate indicating that valid liability insurance in solvent insurance companies licensed to do business by the State of Ohio, has been obtained and maintained. Such insurance shall contain standard liability coverage provisions with respect to the business of such person, and insuring such person against any claims for bodily injury or property damage arising out of any negligent act of such person or his agents or employees occurring in the course of such business, with minimum limits of liability as follows:
 - \$250,000/\$500,000 bodily injury liability
 - \$250,000 property damage liability

Such insurance policy shall contain a clause that ten days notice of cancellation, or material change in the policy, shall be furnished to the City of Fairfield Building Division, and shall also provide that the City of Fairfield, Ohio, as a named insured along with the contractor applicant, if possible.

- (3) The requirement set forth in subsection (d)(2) hereof shall be mandatory for all new applicants. ~~All holders of HVAC master licenses issued prior to the enactment of such subsection shall be required to comply with the subsection within thirty days of official notification of the requirement by the City of Fairfield, Ohio, Building Division.~~
(Ord. 7-05. Passed 1-24-05.)

1337.03 INSPECTOR OF HVAC.

(a) Appointment and Title. There is hereby created the office of Inspector for the purpose of inspection of heating, ventilating and air conditioning equipment as listed in Section 1337.01. This Inspector shall be known as the Inspector of HVAC and shall be appointed in accordance with the rules and regulations of the Civil Service Commission.

(b) Duties.

- (1) The duties of the Inspector of HVAC shall be to inspect all work in the areas covered by this chapter of the Code for which permits are required under this Code and to see that such work is performed in accordance with the provisions hereof; to stop any work being done in violation of the terms hereof, and post "stop work" signs therefor; to order any such work removed or corrected to conform herewith; to issue a certificate of approval on satisfactory completion of projects; provided, however, that no "stop work" order so posted shall affect work not governed by this Code except where the progress of any such work would interfere with inspection of work governed by this Code. The Inspector of HVAC shall enforce the provisions of this Code relative to HVAC, and he or his duly authorized representative may enter any building, structure or premises in the City to perform any duty imposed upon him by this Code.
- (2) The Inspector of HVAC shall review all work to assure conformity with the approved mechanical drawings covering the heating/cooling equipment proposed for any building and shall approve such work or shall cause appropriate changes in the drawings necessary to assure compliance with the requirements of this Code.
- (3) The Inspector of HVAC may be assigned to duties in addition to his duties as Inspector of HVAC.
(Ord. 7-05. Passed 1-24-05.)

~~**1337.04 CIVIL SERVICE CLERK-RESERVED**~~

~~The Civil Service Clerk shall examine applicants for master HVAC license.
(Ord. 7-05. Passed 1-24-05.)~~

~~**1337.05 DUTIES OF CIVIL SERVICE CLERK-RESERVED**~~

~~(a) Rules and Procedure. The Building Superintendent shall make such rules and prescribe such procedure as may be necessary for its operation in conformity with this Code.~~

~~(b) Examination. The Civil Service Clerk shall have complete control over the examination of applicants for master HVAC licenses under this Code.~~

~~(e) — Examination Periods. Examinations of applicants shall be conducted at least each calendar month, if needed, at such time and place as the Civil Service Clerk may designate. Examination questions shall pertain to the design, installation, servicing and maintenance of all types of heating, ventilating and air conditioning systems, and to the application of the requirements of this Code.~~

~~(d) — Passing Grades. The passing grade shall be seventy percent (70%). Any applicant who fails to receive a passing grade shall be eligible to again apply for examination in the following calendar quarter. The Civil Service Clerk shall keep an accurate record of all applications for examination, of the examinations given, and the results thereof, for a period of three years in such depository as may be designated.~~

~~(e) — Certificate of License. The Civil Service Clerk shall certify to the Building Superintendent the names of all successful applicants for an HVAC license, and shall issue a recommendation for the issuance of an HVAC license.~~

~~(f) — Suspension of License. The Board of Building Appeals shall have the authority to suspend or revoke any HVAC license granted under this Code for violations thereof, after the licenseholder is notified in writing of a complaint, and after the licenseholder has had the opportunity to appear before the Board of Building Appeals to present his facts concerning the complaint. (Ord. 7-05. Passed 1-24-05.)~~

1337.06 SPECIFIC REQUIREMENTS FOR LICENSING-REGISTRATION.

(a) ~~License Holder-REGISTRATION Required.~~ No person, except as provided in subsection (g) hereof, firm or corporation shall install, erect, alter, repair, service, reset or replace any HVAC system, or parts thereto, as defined in this Code, unless such person, or some member of such firm or corporation, shall first have obtained a ~~master's license~~ **AN HVAC REGISTRATION** hereunder or unless such person, firm or corporation has in his/its employ a holder of such ~~master license~~ **REGISTRATION**, who shall be the authorized representative of the person, firm or corporation in all matters pertaining to this Code. The authorized representative who is the holder of a ~~master license~~ **REGISTRATION** may not apply for permits for more than one person, firm or corporation.

(b) ~~Grace Period Without License Holder~~ **REGISTERED CONTRACTOR.** Should the authorized representative holder of a ~~master license~~ **REGISTRATION** terminate or sever his employment or association with such person, firm or corporation, such person, firm or corporation shall have sixty days thereafter to cease all warm air heating work governed by the requirements under this Code, until the proper ~~license~~ **REGISTRATION** is acquired.

(c) ~~Application; Examination;~~ **REGISTRATION Fee.**

- (1) An applicant for any license herein shall make application for ~~examination~~ **REGISTRATION** on the standard form of the Building Inspection Division. (See Chapter 1315.) This form shall contain sufficient information to permit the Building Superintendent to determine whether or not the applicant meets the requirements set forth in this Code.
- (2) An ~~examination~~ **INITIAL REGISTRATION** fee which includes the license fee until the next following December 31, shall be in an amount as follows:

<u>License REGISTRATION</u>	<u>Fee</u>
Master HVAC	\$100.00

~~Any applicant failing in his examination shall not have his fee returned to him, but shall be entitled to two re-examinations within a year following the first examination, the re-examinations to be taken not more than once each calendar quarter. If the applicant fails to pass the examination within one year, the examination fee is forfeited to the City. This license shall not be transferable.~~

- ~~(3) Any applicant for a master HVAC license must produce evidence showing that a place of business is or will be maintained by such applicant or by the person, firm or corporation employing such applicant.~~

(d) Form of License REGISTRATION.

- (1) Master HVAC license REGISTRATION. Every person, firm or corporation engaging in HVAC work in the City shall comply with Section 1337.02.

~~(e) Issuance of Master HVAC License REGISTRATION. Any applicant having complied with the provisions of this Code and having successfully passed the examination for a master HVAC license as prescribed by the Civil Service Clerk shall be certified by the Civil Service Clerk to the Building Division to be issued a master HVAC license upon MADE payment of the required fee WILL BE ISSUED AN HVAC REGISTRATION.~~

(f) License REGISTRATION Renewal; Fees.

- (1) Fee for license REGISTRATION renewals is as follows:

<u>License REGISTRATION</u>	<u>Fee</u>
Master HVAC	\$35.00

- (2) A one month extension beyond the expiration date of the HVAC license REGISTRATION is provided by this Code, in which time the HVAC license REGISTRATION may be renewed without penalty. However, failure to renew an HVAC license REGISTRATION on or before January 31, following the expiration date of the license REGISTRATION terminates the license REGISTRATION and such license REGISTRATION is forfeited for nonpayment of the renewal fee.
- (3) No person whose HVAC license REGISTRATION has not been renewed under provisions of this Code shall perform any work governed by this Code until such time as a renewal license REGISTRATION RENEWAL is issued.
- (4) Any such license REGISTRATION forfeited for nonpayment of the renewal fee may be reinstated upon payment of a thirty-five dollar (\$35.00) renewal fee for each year the license REGISTRATION has not been renewed, plus a thirty-five dollar (\$35.00) penalty.
- (5) In the event a period longer than three years has expired from the date of the expiration of such license REGISTRATION prior to an application by the holder thereof for renewal, no license REGISTRATION shall be issued without re-examination of the applicant and the payment of examination RENEWAL fees as set forth in subsection (c) hereof.

(g) Owner-Occupant Exemption. The owner-occupant of a single family dwelling may, with the assistance of any member of his family or household personally perform in such house any work governed by this Code without a license REGISTRATION provided that such owner shall obtain a permit for any such work and shall call for inspection as hereinafter provided.

(h) Unlawful to Loan License REGISTRATION. No master REGISTERED HVAC licensee CONTRACTOR shall loan his license REGISTRATION or obtain a permit for work by others in his name for the use of any other person.

~~(i) Reciprocity. The Building Superintendent may grant licenses under this section without examination pursuant to reciprocity agreements with other jurisdictions in which the applicant is licensed. Reciprocity agreements must be approved by the City Manager. In addition to reciprocity agreements with other jurisdictions, applicants possessing current HVAC contractor's license from the State of Ohio, issued under Ohio R.C. Chapter 4740, will also be given reciprocity.~~

~~(Ord. 7-05. Passed 1-24-05.)~~

1337.07 PERMITS.

(a) Permit to Do Work Required. No person, firm or corporation shall construct or install any HVAC equipment or appurtenances, such as are subject to the provisions of this Code, in and for any building or alter or repair any such existing HVAC equipment or appurtenances as are subject to the provisions of this Code, without the holder of a master HVAC license AN HVAC REGISTRATION first making written application and securing a permit therefor setting forth the nature of the work to be performed.

(b) Emergency Work. In cases of emergency, the holder of a master license REGISTRATION may proceed with the work and file the application for a permit within twenty-four hours, Saturdays, Sundays and holidays excepted.

(c) Plans Required. The application for a permit shall be accompanied by all necessary plans, in triplicate DUPLICATE, for the proposed construction, installation or alteration and with all proper and sufficient information relating thereto if required by the Building Superintendent.

(d) Minor Work Requires No Permit. No permit shall be required for minor repairs or servicing; however, all alterations, additions and work which exceeds two hundred dollars (\$200.00) in value shall require a permit.

~~(Ord. 7-05. Passed 1-24-05.)~~

1337.08 HVAC PERMIT AND INSPECTION FEES.

(a) Fees. Before any permit is granted for the installation, alteration or repair of HVAC equipment, the person, firm or corporation making application for such permit shall pay the City a fee predicated upon the following schedule for the inspections to be made. AS DEFINED IN SECTION 1311.03 SCHEDULE OF FEES.

(b) Fee Schedule "A"
250,000 BTUs or Less

~~Each unit less than 250,000 BTUH heating; or less than 5 tons, 60,000 BTUH cooling; use the chart below:~~

(1)	Heating only	\$40.00 each unit
(2)	Cooling only	40.00 each unit
(3)	Heating and cooling combined	60.00 each unit
(4)	Miscellaneous heating equipment, e.g., space heaters, infrared heaters, unit heaters, refrigeration equipment, etc.	40.00 each unit

(5)	Steam or hot water boilers	40.00 each unit
(6)	Multi-family	45.00 each unit
(7)	Supply air and return air outlets	2.00 each
	All reinspections	25.00 each

Fee Schedule "B"
250,000 BTUs or More

Each unit more than 250,000 BTUH heating; or more than 5 tons, 60,000 BTUH cooling, and air ducts, exhaust systems, etc., the fees will be based on estimated cost of work being performed as follows:

<u>Estimated Cost</u>	<u>Fees</u>
\$10,000 or less	See Schedule "A" above
\$10,001 - \$50,000	\$70.00 plus \$3.00 per \$1,000 valuation or part thereof, over \$10,000 plus item (7), Schedule "A".
\$50,001 - \$100,000	\$220.00 plus \$2.00 per \$1,000 valuation or part thereof, over \$50,000 plus item (7), Schedule "A".
Over \$100,000	\$420.00 plus \$1.00 per \$1,000 valuation or part thereof, over \$100,000 plus item (7), Schedule "A".
Reinspections:	For each reinspection made necessary because of incomplete work, wrong address or faulty construction, the owner or agent shall pay a fee of \$25.00.

(c) Beginning Work Without Permit, Beginning Work Without Permit. The fee for any work started prior to obtaining a permit shall be the greater of double the permit fee or \$100.00 for the first offense. The greater of double the permit fee or \$200.00 for the second and additional offense(s). However the payment of such doubled fee shall not relieve any person from fully complying with all the requirements of this Code nor exempt them from any other penalty herein prescribed. (Ord. 7-05. Passed 1-24-05.)

1337.09 PERMITS FOR INSTALLATION.

(a) Before the installation of any HVAC system is begun a permit for installation shall be issued by the Building Superintendent. Such permit shall then be placed in the permanent records of the Division.

(b) An application for such permit shall be made by the individual authorized in Sections 1337.06 and 1337.07.

(c) Such application shall show the name of the owner of the building in which the system is to be installed, the location of the building, the estimated heat losses of the space to be heated, and the capacity of the equipment to be installed.

(d) A permit for installation of heating or cooling equipment shall be issued only if the heat or cooling loss or gain, properly calculated, does not exceed the actual capacity of the equipment proposed. A set of calculations, based on all the pertinent factors concerning the location in question, which show the proposed equipment is equal to or exceeds the calculated load demand, shall constitute prima facie evidence that the performance of the proposed system will meet all requirements of this Code. (Ord. 7-05. Passed 1-24-05.)

1337.10 HEAT LOSS.

(a) Heat loss and gain measurements of the space to be heated or air conditioned shall be based on the design temperature for this area: heat 50° Fahrenheit to 75° Fahrenheit (dry bulb); cooling 92° Fahrenheit to 75° Fahrenheit (dry bulb).

(b) Special purpose spaces may require different design temperatures than those specified in subsection (a) hereof.

(c) The measurement of such losses and gains in accordance with the methods established in the manual of the National Warm Air Heating and Air Conditioning Association, the American Society of Heating and Ventilating Engineers or by any other recognized method, shall constitute prima facie evidence that such measurements have been computed properly. (Ord. 7-05. Passed 1-24-05.)

1337.11 CAPACITY AND SIZES OF EQUIPMENT.

(a) The heat generating and/or cooling capacity of equipment shall be equal to or greater than the properly calculated load which is to be imposed upon it.

(b) Determination of the capacity required of equipment and the sizes of the supply and return systems shall be in accordance with the methods established in the codes and manuals of the National Warm Air Heating and Air Conditioning Association, the American Society of Heating and Ventilating Engineers, or other recognized methods. (Ord. 7-05. Passed 1-24-05.)

1337.12 SAFETY REQUIREMENTS.

(a) HVAC systems shall be so installed as to be reasonably fire safe and free from health and physical hazards under conditions of normal use. All heat generating equipment and heating appliances of every type shall be installed according to the installation instruction supplied by the manufacturer of such equipment or appliance. In no installation shall combustible material be less than eighteen inches from equipment or surfaces which may exceed 250 degrees Fahrenheit.

(b) Installation of used equipment is prohibited except equipment which is safe and suitable to perform the function for which it was designed, and also for the use intended, may be installed after the ~~HVAC license holder~~ **REGISTERED HVAC CONTRACTOR** submits a written statement to the Building Superintendent certifying that such used equipment is safe and functional for the use intended. The Building Superintendent may require additional documentation of tests performed on the equipment, or other evidence which he may deem necessary to support the statement submitted. In no case shall used equipment be installed prior to approval by the Building Superintendent.

(Ord. 7-05. Passed 1-24-05.)

1337.13 CODES.

(a) All one, two, and three family residential installations shall meet the requirements of the ~~OBOA Residential Code~~ **RESIDENTIAL CODE OF OHIO, CURRENT EDITION**, adopted by Section 1301.03(a) of the Building Code.

(b) All residential installations for more than three family units, commercial, industrial, institutional, etc., shall meet the requirements of the Ohio Mechanical Code, ~~or~~ most recent edition, adopted by Section 1301.03(b) of the Building Code.

(Ord. 7-05. Passed 1-24-05.)

1337.14 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.15 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.16 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.17 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.18 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.19 ELECTRIC WIRING.

(a) Electric wiring of 24 volts or less may be installed by a ~~master-heating licenseholder~~ **REGISTERED HVAC CONTRACTOR**.

(b) Electric wiring of greater than 24 volts shall be installed by an ~~electrician duly licensed under the provisions of this Code. Exception: See Chapter 1335 for provisions of HVAC Electrician license.~~ **A REGISTERED ELECTRIAN.**

(Ord. 7-05. Passed 1-24-05.)

1337.20 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.21 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.22 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.23 INSPECTIONS.

(a) Notification; Time; Number of Inspections. Immediately upon completion of those portions of the installation which are thereafter to be concealed or covered, the heating contractor shall notify the Inspector of HVAC giving the location of the work, that such portions of the installation are ready for inspection; no person, firm or corporation shall lath over, plaster, or cover up any heating work before such work has been inspected and approved. The Inspector of HVAC shall have the right and authority to order the removal of all such lath, plaster, or other covering which may have been placed over such work before same has been inspected. The Inspector of HVAC must provide such requested inspection within two working days after notice, excepting Saturdays, Sundays and holidays. Upon completion of new installations and when otherwise applicable, a final inspection and approval by the HVAC Inspector is required. It shall be the responsibility of the ~~master HVAC licenseholder~~ **REGISTERED HVAC CONTRACTOR** to notify the Inspector of HVAC when the installation is ready for final inspection.

(b) Stop Work Order. Wherever any work or project governed by the provisions of this chapter and for which a permit has been issued, as provided herein, is being performed or carried on in violation of any of the provisions of this Code, it shall be the duty of the Inspector of HVAC to post a printed notice to "stop work" signed by the Building Superintendent on the premises where such work is in progress; and to notify the permit holder of such "stop work" order and the reason therefor. After posting of such notice, no person, firm or corporation shall do any further work on such project which would interfere with further inspections under this chapter, until such time as the defects or violations of this Code have been corrected to the approval of the Inspector of HVAC and the "stop work" sign has been removed by him.
(Ord. 7-05. Passed 1-24-05.)

1337.24 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.25 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.26 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.27 RESERVED.

(EDITOR'S NOTE: This section is reserved for future legislation.)

1337.28 WET HEAT AND PIPING CODE.

(a) General Provisions. Before a permit shall be issued for the installation of any steam or hot water boiler, or any device performing some specific service in connection with any hot or cold water heating or air conditioning system or plant, the capacity of which might affect, in whole or in part, the efficiency of the system or plant, the contractor installing such device, or the manufacturer of same, shall furnish the HVAC Inspector with such test data, measurements, ratings, capacities or other information as may be required for the purpose of determining ratings or capacities of such devices in accordance with the provisions of these regulations.

(b) Alterations, Additions and Repairs. Wherever the heating or air conditioning requirements, as determined by these provisions, of any existing building provided with a hot or cold water heating or air conditioning system or plant are hereafter increased or altered, either by the construction of an addition or additions to such building or by an increase in the portion of the building to be heated or conditioned or in any other manner, the capacity of the heating or air conditioning system or plant serving same shall be increased to that capacity which would be required by this Code for a new installation designed to meet equal heating or air conditioning requirements.

(Ord. 7-05. Passed 1-24-05.)

1337.29 AIR CONDITIONING.

(a) Scope. This section shall apply to the installation, alteration, repair and/or replacement of all air conditioning systems used or to be used in or about any building within the City.

(b) Standards.

- (1) No discharge from a condensing unit of any air conditioning system or installation shall be connected into the sanitary sewer system of the City. Discharge from a condensing unit of any air conditioning system or installation in excess of 300 gallons per minute shall be approved by the City Engineer.
- (2) Where underground water in excess of 300 gallons per minute is used in connection with any air conditioning system or installation in the City, it shall be returned to the ground through suitable return wells subject to the approval of the Public Utilities Director.
- (3) Where a combination heating and cooling system is used, a heating permit must be issued. (Ord. 7-05. Passed 1-24-05.)

CHAPTER 1339
Safeguards During Construction and Demolition

<p>1339.01 Compliance required.</p> <p>1339.02 Allowable use of public property during construction.</p> <p>1339.03 Where covered walkways are required.</p> <p>1339.04 Construction of walkways, fences and protective covering.</p> <p>1339.05 Walkways over excavated areas.</p> <p>1339.06 Storage of materials over walkways.</p> <p>1339.07 Walkways to be kept in repair.</p> <p>1339.08 Cleaning of sidewalks and streets.</p>	<p>1339.09 Lights required.</p> <p>1339.10 Protection of roofs and skylights of adjoining buildings.</p> <p>1339.11 Fire protection.</p> <p>1339.12 Temporary heating.</p> <p>1339.13 Watchman.</p> <p>1339.14 Storage of material on streets.</p> <p>1339.15 Basement drainage.</p> <p>1339.16 Disposal of waste.</p> <p>1339.17 Demolition.</p>
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CROSS REFERENCES

Excavation liability - see Ohio R.C. 723.49
 Enforcement and penalty - see BLDG., Ch. 1305

1339.01 COMPLIANCE REQUIRED.

The temporary use of streets or public property for the storage or handling of materials or of equipment required for construction or demolition, and the protection provided to the public, shall be in accordance with the provisions of this chapter. (Ord. 7-05. Passed 1-24-05.)

1339.02 ALLOWABLE USE OF PUBLIC PROPERTY DURING CONSTRUCTION.

No public property may be used for construction or demolition purposes without the written permission of the Building Superintendent. The amount of space and conditions under which public property may be used for construction or demolition purposes shall be as set forth below.

- (a) For such purposes, not more than one-third of the width of the street that is adjacent to the curb in front of the building being erected, and for which a permit has been issued, shall be used. If the street in front of the property adjoining such building is to be used for similarly limited storage, a due waiver of claim against the City for damages on account of such use, issued by the owner of such property, shall be filed with the Building Superintendent before such use shall be allowed.
- (b) Street or sidewalk space may be used under the following conditions:
 - (1) That a walkway be constructed in the outer portion of the permissible occupied street space, conforming to the requirements of Section 1339.03.
 - (2) That no building material, fence, shed or any obstruction of any kind shall be placed so as to obstruct free approach to any fire hydrant, lamp post, manhole, fire alarm box, or catch basin, or so as to interfere with the passage of water in the gutter. Protection against damage shall be provided to such utility fixtures during the progress of the work, but sight of them shall not be obstructed.
 - (3) That a ten foot clear roadway be maintained through any alley located along the building site.
 - (4) That proper precaution shall be made during construction to prevent concrete, mortar washings, or any other material from entering a sewer or catch basin. (Ord. 7-05. Passed 1-24-05.)

1339.03 WHERE COVERED WALKWAYS ARE REQUIRED.

During the erection or demolition of any building exceeding one story in height that is located at a distance less than ten feet or is located less than one-quarter of the height of the building from any street or alley property line, a roof covering for the entire length of the project shall be provided over the temporary or permanent sidewalk, from the time the construction or demolition extends above the second floor level until materials are no longer being used or handled on the floor above such walk.

Buildings having their exteriors altered or repaired in an extensive manner involving any hazard shall be provided with a covered walk as required for new structures during erection. (Ord. 7-05. Passed 1-24-05.)

1339.04 CONSTRUCTION OF WALKWAYS, FENCES AND PROTECTIVE COVERING.

Before any construction work is commenced, the owner or his agent shall construct a temporary walkway in conformity with this section.

- (a) All fences, barriers or temporary structures of any kind located on public highways shall be so constructed as not to obstruct vision at the intersection of streets.
- (b) Walkways shall be not less than four feet wide in the clear. Walks shall be built in a safe and substantial manner and be maintained in that condition at all times. A fence of solid, substantial construction not less than three feet high shall be provided on the traffic or street side of the walkway; each side of the walk shall be provided with smooth handrails.
- (c) Where the distance from building to street or alley property line is less than half the height of the building, a fence of substantial solid construction at least eight feet high shall be provided on the building side of the walkway.

- (d) Roof coverings over walkways, as required by Section 1339.02 shall be constructed of not less than one layer of two-inch nominal dimension wood plank spanning not over three feet between supports, or equivalent, decking. The framework supporting the walkway covering shall be well braced and designed to support at least 150 pounds per square foot, but the top deck shall be designed to carry not less than 250 pounds per square foot. The roof covering shall be of width sufficient to cover the entire walkway or sidewalk, and shall be made watertight. Suitable provision shall be made for adequate lighting of the walk under the covering at all times. A minimum clearance of eight feet six inches shall be maintained above walkways.
(Ord. 7-05. Passed 1-24-05.)

1339.05 WALKWAYS OVER EXCAVATED AREAS.

When the area occupied by the sidewalk or temporary walkway is to be excavated, such walk shall be made of boards not less than two inches nominal dimension designed to support a load of not less than 150 pounds per square foot, provided with suitable ramps at each end. Such walkways shall be provided with a solid fence not less than three feet high with smooth handrails on each side. (Ord. 7-05. Passed 1-24-05.)

1339.06 STORAGE OF MATERIALS OVER WALKWAYS.

Whenever roofs or walkways are used for the storing of materials, it shall be designed for the load to which it is to be subjected and a railing and footboard shall be installed so as to prevent the materials from spilling into the street.
(Ord. 7-05. Passed 1-24-05.)

1339.07 WALKWAYS TO BE KEPT IN REPAIR.

Any barricade or fence and handrails and sidewalks shall be kept reasonably smooth and in good repair while in use. (Ord. 7-05. Passed 1-24-05.)

1339.08 CLEANING OF SIDEWALKS AND STREETS.

The owner or his agent, upon the completion of the building, shall immediately remove all walkways, debris or any other obstruction and leave such public property in as good a condition as it was before such work was commenced.
(Ord. 7-05. Passed 1-24-05.)

1339.09 LIGHTS REQUIRED.

(a) Every walkway shall be kept well lighted continuously between sunset and sunrise and the outer edge of the occupied space of the street or sidewalk shall have placed upon or by them, illuminated lamps with red globes, flares or other approved lights in such manner that there shall be one light at each end, and at intermediate points as may be necessary to afford proper warning after darkness.

(b) All pits, excavations, fences, barriers, builder's equipment, building materials or rubbish in or upon a street, alley, sidewalk or any other public space shall have placed upon or by them, illuminated lamps with red globes, flares or other approved lights in such manner that there shall be one light at each end, and at intermediate points as may be necessary to afford proper warning after darkness.

(c) All parts of buildings or structures under construction and all sheds, scaffolds and other equipment in connection therewith, where work is being performed or persons must necessarily pass, shall be adequately lighted to insure safety.
(Ord. 7-05. Passed 1-24-05.)

1339.10 PROTECTION OF ROOFS AND SKYLIGHTS OF ADJOINING BUILDINGS.

When a building or structure is to be carried above the roof of an adjoining building, protection for the skylight and roof of such adjoining building shall be provided, at his own expense, by the person constructing or causing the construction of such building or structure; provided, that if the owner, lessee or tenant of the adjoining building should refuse permission to have the roofs and skylights protected, the responsibility and expense for the necessary protection shall devolve on the person refusing such permission.
(Ord. 7-05. Passed 1-24-05.)

1339.11 FIRE PROTECTION.

During building operations, free access from the street to fire hydrants, and to outside connections for standpipes, sprinklers or other fire extinguishing equipment, whether permanent or temporary, shall be provided and maintained at all times. No material or construction equipment shall be placed within ten feet of such hydrant or connection nor between it and the center line of the street.
(Ord. 7-05. Passed 1-24-05.)

1339.12 TEMPORARY HEATING.

(a) When salamanders or other temporary heating devices are used, if a temporary heating plant is impracticable and until a permanent heating plant is installed, they shall not be set on combustible flooring or platforms unless thoroughly insulated therefrom by a bed of slag or cold ashes not less than four inches thick, or by other efficient protection, extending at least two feet horizontally beyond such devices on all sides. The legs of such devices, which shall be at least twelve inches long, shall rest on the insulation, and shall not extend through it.

(b) Such devices shall be so located that there is a clearance of not less than six feet above nor less than two and one-half feet on all sides, between such device and unprotected woodwork or combustible material, equipment or construction. Nor shall such devices be placed within ten feet in any direction of tarpaulins or canvas covers, except as such tarpaulins or covers are flameproofed in an approved manner.

(c) Salamanders and similar heating devices shall be of a substantial type with protective screen covers, and shall be under constant supervision so long as they are in use.
(Ord. 7-05. Passed 1-24-05.)

1339.13 WATCHMAN.

When anything is being hoisted, loaded or unloaded over a sidewalk, or when any trucks cross over same, in a congested district or on an arterial highway, at least one watchman shall be stationed there to warn and protect all persons from injury or damage.
(Ord. 7-05. Passed 1-24-05.)

1339.14 STORAGE OF MATERIAL ON STREETS.

(a) No building materials or accessories shall be placed upon the streets, alleys or sidewalks except as provided in this chapter. Building materials required for immediate use or in connection with the construction or alteration of a building, or temporary fences, walks or covered walks may be placed upon the street or sidewalk in front of such building site; provided, however, that if in the opinion of the Building Superintendent the storage of such materials or the placing of fences and walks, etc., seriously interferes with traffic or endangers life or property, he may refuse to issue, revoke or refuse to renew permits and order all obstructions removed.

(b) The maximum width of such occupied space shall not exceed one-third of the width of the roadway.

(c) On sidewalks there shall be maintained at all times a minimum clear space four feet wide for the entire street frontage.

(d) No material shall be piled or stored on public highways or sidewalks to a height greater than six feet or within twenty-five feet of the curb line of an intersecting street or within ten feet of the curb line of an intersecting alley.

(e) The gutters shall at all times be kept clean and free from all obstructions to accommodate storm water flow without washing of material into gutter.

(f) Where building material is placed near a sewer inlet, a suitable stop shall be provided so as to prevent any of this material from entering the inlet.

(g) Hand mixing of concrete or mortar shall be done in a box, and when boxes, wheelbarrows, shovels, etc., are washed, they shall be washed in such a way as to prevent washings from entering the sewer.

(h) The person responsible for building materials in sewers shall be liable for the expense of removing same and the damage caused thereby. Such expense shall be charged to and collected from such person by the City.

(i) No building material or temporary structures of any kind shall be placed so as to obstruct the sight of, the free approach to and the use of any fire hydrant, sprinkler connection, fire alarm box, police call box, traffic signal box, street light manhole or catch basin, or to obstruct the sight of any traffic signal from any point where it is intended that it should be seen.

(j) The sidewalk space may be occupied for building construction purposes, when approved by the Building Superintendent, provided a temporary fence, walk or covered walk is constructed in accordance with the provisions of Sections 1339.03, 1339.04 and 1339.05, and such fence, walk or covered walk is properly maintained.

(k) No material shall be stored beyond the inner edge of such walk or covered walk or on the outside of a fence enclosure. No portion of any fence, walk or covered walk shall be used for advertising purposes, excepting those of the owners, tenants, architects, engineers, contractors or building and material concerns engaged in construction. (Ord. 7-05. Passed 1-24-05.)

1339.15 BASEMENT DRAINAGE.

Before the foundation walls of a building or structure are completed, adequate drainage facilities shall be provided to prevent water accumulating in the excavation or basement. This drainage shall not be connected to a sanitary sewer.

(Ord. 7-05. Passed 1-24-05.)

1339.16 DISPOSAL OF WASTE.

Waste material and rubbish shall not be stored nor allowed to accumulate within the building or in the immediate vicinity, but shall be removed from the premises as rapidly as practicable. Combustible waste and rubbish shall be removed at least daily. No material shall be disposed of by burning on the premises or in the immediate vicinity. Dry material or rubbish shall be wetted down, if necessary, to prevent it being blown about. (Ord. 7-05. Passed 1-24-05.)

1339.17 DEMOLITION.

(a) General. In the demolition of buildings, other than buildings of wood frame construction, one story at a time shall be completely removed. No wall, chimney or other construction shall be allowed to fall in mass on an upper story. Bulky material such as beams and columns, shall be lowered and not allowed to fall.

(b) Chutes.

- (1) Chutes for the removal of materials and debris shall be provided in all such parts of demolition operations that are more than twenty feet above the point where material is being removed.
- (2) Such chutes shall be completely enclosed. They shall not extend in an unbroken line for more than twenty-five feet, but shall be equipped at intervals of twenty-five feet or less with substantial stops to prevent descending material from attaining dangerous speeds.
- (3) The bottom of each chute shall be equipped with a gate or stop, with suitable means for closing or regulating the flow of material.

(c) Sprinkling. Chutes, floors, stairways and other places affected shall be sprinkled sufficiently to keep down the dust.

(d) Utilities and Basement Drainage. Sewers shall be plugged and capped, water service shall be shut off at the main, and gas lines shall be shut off at the main. The basement floor shall be broken to permit drainage.

(e) Grading of Lot. When a building has been demolished and no building operation has been projected or approved, the vacant lot shall be filled, graded and maintained in conformity to the established street grades at curb level, or natural grade. The lot shall be maintained free from the accumulation of rubbish and all other unsafe or hazardous conditions which endanger the life or health of the public; and provision shall be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property.

(f) Note. All of the requirements hereinbefore stated in this section covering construction and remodeling shall also apply to demolition.

~~(g) Bond. Before a demolition permit is issued, a bond or certificate of insurance, approved by the Law Director as to form and as to amount by the Building Superintendent shall be filed with the Finance Director. (Ord. 7-05. Passed 1-24-05.)~~

**CHAPTER 1341
Use of Public Property**

- | | |
|--|--|
| <p>1341.01 General requirements.</p> <p>1341.02 Space under public property.</p> | <p>1341.03 Moving of buildings or structures.</p> |
|--|--|

CROSS REFERENCES

Power to regulate building numbering - see Ohio R.C. 715.26
Power to license house movers - see Ohio R.C. 715.27

1341.01 GENERAL REQUIREMENTS.

The use of public property or any portion thereof, shall be in accordance with the provisions of this chapter and Section 1339.02.

- (a) Doors. Doors shall be so designed and hung as to not encroach, when opened, upon public property more than six inches and such doors shall not be held open in this encroaching position. Exit doors which are required to be open in the direction of exit travel, shall be set back from the property line by means of vestibules or similar enclosures to comply herewith.
- (b) Ladders. Any person, firm or corporation which shall cause any ladder to be erected on public property for any purpose shall have one person constantly posted at the foot of such ladder as a safety precaution.
(Ord. 85-83. Passed 6-27-83.)

1341.02 SPACE UNDER PUBLIC PROPERTY.

(a) Space Under Sidewalk. The space under the sidewalk level may be used for purposes not inconsistent with any requirements of this Code or any other ordinances, but the permit to use this space may be revoked by the City at any time and the owner of the building occupying such space shall be required to pay all costs incidental to the surrender of his occupancy. The owner of the building shall carry public liability insurance in such amount as is determined by Council and a copy of the public liability insurance policy shall be filed with the Finance Director.

(b) Encroachment Requirements.

- (1) Areas projecting beyond the building line shall be covered over at the street level by an approved grating of metal or other noncombustible material.
- (2) Vaults, entirely below the sidewalk level, but not beyond the curb line, shall be roofed over at the street level by approved masonry, reinforced concrete or steel beams with masonry arches.
- (3) Openings in the roofs of vaults under street surfaces shall be provided with substantial covers of noncombustible materials, flush with the top surface and constructed to prevent persons from slipping thereon. Covers shall be maintained normally closed, and when open for use shall be fully guarded to prevent accidents.
- (4) When glass is set in the sidewalk to provide light for spaces underneath, the glass shall be supported by metal or reinforced concrete frames and such glass shall be not less than one-half inch in thickness. When such glass is over twelve square inches in area, it shall have wire mesh imbedded in the glass. Glass used in vault lights shall not exceed sixteen square inches for one light and shall be flush mounted structural units designed specifically for this purpose. All portions of sidewalk lights shall be of not less strength than required for sidewalks. (Ord. 85-83. Passed 6-27-83.)

1341.03 MOVING OF BUILDINGS OR STRUCTURES.

(a) License. No person, firm or corporation shall raise, shore, move or cause to be moved upon the streets, alleys or other public places within the City or from one lot or parcel of ground to another within such City, any building or structure other than a contractor's shed, not over ten feet in width and ten feet in height or an industrialized unit, unless such person, firm or corporation has satisfactorily demonstrated their ability to perform such operations to the Building Superintendent, and has obtained a permit to engage in such business as hereinafter provided.

(b) Bond. Every person, firm or corporation shall annually before engaging in moving of buildings or structures, obtain a permit therefor and every such firm, person or corporation applying for a permit shall first file with the City Manager a surety bond in an amount to be determined by the Law Director with good and sufficient sureties to be approved by the Finance Director, and shall apply whether the property be either public or private, whether such damage or injury shall be inflicted by such party or his agents or employees; and conditioned that such party will save and indemnify and hold the City harmless against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of such permit, and will in all things strictly comply with the conditions of his permit.

(c) Fees. Any person, firm or corporation engaged in the business of moving a structure or building in the City shall ~~pay a permit fee of the following amount, to-wit:~~ **BASED ON ESTIMATED COST FROM CHAPTER 1311.**

_____ For one day to one week _____	\$50.00
_____ For one month _____	\$100.00
_____ For one year _____	\$300.00

~~and shall be entitled to a permit for the period for which such permit is paid; except that in the case of one story frame structures not exceeding twelve feet in extreme height when mounted, or thirteen feet in extreme width, or eighteen feet in extreme length, and which are mounted on trucks or wagons and hauled by direct traction without the use of capstans or other machinery involving the obstruction of the roadway or other than by the building itself, such fee shall be fifteen dollars (\$15.00).~~

In addition to the foregoing amount paid by the person engaged in moving of buildings or structures, the sum of fifty dollars (\$50.00) per day shall be paid for each day or fraction thereof such structure is upon the streets of the City, after the first day.

(d) Removal of Building or Structure. No building or structure shall be moved until same has been inspected by the Building Inspector and any building or structure that has depreciated fifty percent (50%) or more shall not be moved, but shall be torn down.

(e) Route Prescribed. The route which shall be prescribed by the City Manager shall in all cases be such as is least likely to interfere with traffic on the streets or cause accidents or injuries or to interfere with public or private convenience; and the route so prescribed shall not be deviated from.

(f) Notice to Others. A moving permit shall not be issued until the mover has certified to the Building Superintendent in writing that he has notified all persons, firemen or corporations owning or controlling any telegraph, telephone, cable T.V., electric light or power, fire, police alarm, or trees, cross-arms or other structures which may come in contact, or which may be affected by the moving of the building or structure, and has obtained their permission for the moving of the building or structure, and has deposited the necessary moneys with these persons, firms or corporations as required by them to protect their properties.

(g) Report to the City Engineer and Fire Department. Every person, firm or corporation receiving a permit from the Building Superintendent to move a building or structure shall, within one day after such building or structure reaches its destination, report that fact to the Building Superintendent, who shall report same to the City Engineer, who shall thereupon inspect all streets, alleys, avenues or public grounds over which the building or structure has been moved and ascertain the condition of same. If the moving of the building or structure has caused any damage to the streets, alleys or public grounds, the mover shall forthwith place the same in as good a condition as they were before the permit was granted. Upon the failure of the mover to do so, within ten days thereafter, to the satisfaction of the City Engineer, the City shall repair the damage done and hold sureties of bond given by the mover responsible for the payment of the cost of repairs.

- (1) Every mover shall report to the Fire Chief or his assistant each night the exact location where the building or structure is to stand on the streets for the night. Failure to report this shall be considered a misdemeanor and shall hold parties liable to fine.
- (2) Movers shall proceed in a careful manner in the moving of a building or structure over the public streets, alleys and public grounds and shall not in any manner injure or destroy trees, grass plot, curbing or sidewalk, nor in any manner interfere with the property of individuals. The Building Superintendent shall have the power to revoke any permit whenever in his judgment any mover is proceeding in a reckless or careless manner in the moving of the building or structure.

- (h) Public Safety Requirements for Moving of Buildings and Structures.
- (1) Lights required. Every building or structure which occupies any portion of public property after sundown, shall have sufficient lights continuously burning between sunset and sunrise for the protection of the public.
 - (2) Number and location. There shall be a minimum of five red lights placed on each street side of the building or structure; such red lights shall be attached to the building or structure in such a fashion as to indicate extreme width, height and size.
 - (3) Flares required. There shall be placed in addition to the red lights on the building or structure, flares at regular intervals for a distance of 200 feet up the street on each side of the building or structure.
 - (4) Flagmen required. When more than fifty percent (50%) of the street, measured between curbs, is occupied at night by the building or structure, or when, in the opinion of the Building Superintendent, flagmen are necessary to divert or caution traffic, the owner or person moving such building or structure shall employ at their expense, two flagmen, one at each street intersection beyond the building or structure; such flagmen shall remain at these intersections, diverting or cautioning traffic, from sunset to sunrise. Red lights shall be employed in flagging traffic at night. (Ord. 85-83. Passed 6-27-83.)

CHAPTER 1343
Property Maintenance Code

1343.01	Adoption of Property Maintenance Code.	1343.04	Saving clause.
1343.02	Conflict.	1343.99	Penalty.
1343.03	Additions, insertions and changes.		

CROSS REFERENCES

Adoption of technical codes by reference - see CHTR. §4.11
Noxious weeds and litter - see GEN. OFF. Ch. 557
Board of Building Appeals - see BLDG. Ch. 1317

1343.01 ADOPTION OF PROPERTY MAINTENANCE CODE.

That certain document, copies of which are on file in the office of the Clerk of Council, being marked and designated as "the International Property Maintenance Code 2006 Edition", as published by the International Code Council, Inc., is hereby adopted as the Property Maintenance Code of the City for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of such International Code Council, Inc. International Property Maintenance Code are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 1343.03.

(Ord. 93-07. Passed 7-9-07.)

1343.02 CONFLICT.

In the event any other ordinances or parts of ordinances are in conflict with this chapter, the additional or more stringent of the two requirements shall apply.

(Ord. 93-07. Passed 7-9-07.)

1343.03 ADDITIONS, INSERTIONS AND CHANGES.

The following additions, deletions and amendments to the International Code Council, Inc. International Property Maintenance Code are hereby adopted.

- (a) Section PM 101.1 (page 1, second line). Insert: City of Fairfield, Ohio.
- (b) Sections 106.4 PENALTY AND 107.4 PENALTIES are deleted and replaced in Section 1343.99 of this chapter.
- (c) Sections 111.1 through 111.8 are hereby deleted and the "Code Appeals Board" for purposes of this chapter shall be the Board of Building Appeals of the City of Fairfield, Ohio.

- (d) The Superintendent of Building Inspection and Zoning shall be the "Code Official" for purposes of this chapter.
- (e) Section 302.4 WEEDS is deleted.
- (f) Section 302.7 ACCESSORY STRUCTURES is amended to read as follows: All accessory structures including but not limited to garages, sheds, decks, gazebos, carports, landscaping walls, play structures and fences shall be free from safety, health, and fire hazards and shall be maintained structurally sound and in good repair.
- (g) Section 302.8 MOTOR VEHICLES is deleted.
- (h) Section 302.10 EXTERIOR PROPERTY AREAS is amended to read as follows: No owner, tenant, occupant or operator of any premises shall maintain or permit to be maintained at or on the exterior property areas of such premises any condition which deteriorates or debases the appearance of the neighborhood, reduces property values in the neighborhood, adversely alters the appearance and general character of the neighborhood, creates a fire, safety or health hazard or which is a public nuisance. Such conditions, include, but are not limited to, the following:
 - (1) Broken or dilapidated fences, walls or other structures;
 - (2) Out-of-use or nonuseable appliances and motorized vehicle parts;
 - (3) Rugs, rags or other materials hung on lines, or in other places on the premises, which materials are not being used for general household or housekeeping purposes;
 - (4) Broken, dilapidated or unusable furniture and mattresses or other household furniture, intended for interior use, broken glass, plastic materials, paints, miscellaneous coverings and/or any other materials, including those described in this section, placed at or on the premises in such a manner as to be patently unsightly, grotesque or offensive to the senses;
 - (5) Yards and landscaping shall also be maintained so as not to constitute a blighting or deteriorating effect in the neighborhood, including the timely removal of leaves and rubbish from a yard area. Leaves shall be removed from yards within three (3) months after they have dropped from the tree or plant.
 - (6) No accumulation of building materials or materials such as, earth, sand, mulch or dirt intended for use in landscaping or gardening shall be left standing open or covered upon any premises for a period of time exceeding six consecutive months;
 - (7) Brush, stump roots, obnoxious growths, filth, garbage, rubbish, trash, refuse, debris, dead and dying trees and limbs or other natural growth, loose and overhanging objects and ground surface hazards. This section shall not include properly located compost facilities as defined in Section 1133.01(20.2).
- (i) Section 303 SWIMMING POOLS, STORABLE POOLS, SPAS AND HOT TUBS is amended to read as follows: swimming pools shall be maintained in a clean and sanitary condition, and in good repair. In good repair includes but is not limited to pool liner, associated deck, pump and piping and the following:
 - (1) The pool liner in an above-ground or in-ground pool shall be intact and in the proper position and installed per manufacturers recommendations.
 - (2) All associated decking shall be weather and slip resistant, structurally sound and in good repair, meeting all local and state building codes.

- (3) All associated pumps and piping shall be maintained clean and sanitary and free from leaks.
 - (4) Water clarity shall be maintained so that when standing at the pool's edge at the deep end, the deepest portion of the pool floor and/or the main drain shall be visible and sharply defined. The pool water shall be chemically treated and the filtration system in proper operational condition to maintain clear and sanitary water according to the pool manufacturers suggested operational parameters.
 - (5) Pool covers shall be properly labeled, installed, used and maintained in accordance with the manufacturer's published instructions; free from tears and breaks and secured around the perimeter of the pool to create a barrier to debris and inhibit access to the contained body of water.
 - (6) Pool covers shall not be allowed to collect surface water more than 4 inches (102mm) in depth.
 - (7) Storable pools are those that are constructed on or above the ground and are capable of holding water to a maximum depth of 42 inches (1.0m), or a pool with nonmetallic, molded polymeric walls or inflatable fabric wall regardless of dimensions. All storable pools are required to be removed from service and stored away between the period of November 1st and April 1st.
 - (8) All swimming pools shall be winterized according to the pool manufacturer's recommendations which includes chemical treatment of the standing water, plus physical and chemical protection of the pool and its equipment from freezing.
- (j) Section 304.3 PREMISES IDENTIFICATION is amended to read as follows: Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers and letters shall be a minimum of 4 inches (102mm) high with a minimum stroke width of 0.75 inches (20mm).
- (k) Section 304.6 EXTERIOR WALLS is amended to read as follows: All exterior walls, including wood, vinyl and aluminum siding shall be free of holes, breaks, loose or rotting materials; and maintained weather proof and properly surface-coated. All exposed exterior wood wall surfaces shall be painted, sealed or stained, so that each wooden exterior wall surface is uniform in appearance and all surface coating materials must be consistently applied so as to avoid mismatched shades and discoloration of the wood surface. Exterior wooden wall surfaces includes but is not limited to soffit and fascia boards and other exterior trim.
- (l) Section 304.7 ROOFS AND DRAINAGE is amended to read as follows: The roof and flashing shall be sound, tight and not have defects which might admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the building. Roof drains, gutters, downspouts or other approved drainage systems shall be installed and shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance. All repairs made to roofs and flashing shall to the extent possible match existing materials and colors.

- (m) Section 304.8 DECORATIVE FEATURES is amended to read as follows: All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition. No decorative features may be partially removed which would put the facade out of symmetrical balance or remove the consistency of the decorative feature with a particular level of the facade, including but not limited to, removing one shutter from a window which has two shutters or one set of shutters from a front window where other front windows have shutters or one piece of trim from a designed trim pattern, for any period in excess of fourteen days. Decorative features are to be replaced with like materials and colors consistent with the existing features.
- (n) Section 304.14 INSECT SCREENS is amended to read as follows: every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food or human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.
- (o) Section 305.7 - UNIT IDENTIFICATION: All buildings containing multiple units whose primary entrances are served by a common hallway (i.e. apartments, condominiums, suites) shall have approved unit ID numbers placed in a position to be plainly legible and visible from the common hallway. These numbers shall contrast with their background. Unit ID numbers shall be arabic numerals or alphabet letters. Numbers and letters shall be a minimum of 3 inches high with a minimum stroke width of 3/8 inches.
- (p) Section 306 HANDRAILS AND GUARDRAILS is amended to read as follows: Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762mm) above the floor or grade below shall have guards. Handrails shall not be less than 34 inches (864mm) or more than 38 inches (965mm) measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 36 inches (914mm) above the floor of the landing, balcony, porch, deck or ramp or other walking surface.
EXCEPTION: Guards shall not be required where exempted by the adopted Building Code.
- (q) Section 307 RUBBISH AND GARBAGE is deleted in its entirety.
- (r) Section 404.4.1 ROOM AREA is amended to read as follows: Every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet (6.5m²) of floor area, and every room occupied for sleeping purposes by more than one person shall contain at least 50 square feet (4.6m²) of floor area for each occupant thereof.
- (s) Section 404.5 OVERCROWDING is amended to read as follows: Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5
MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 OCCUPANTS	3-5 OCCUPANTS	6 OR MORE OCCUPANTS
LIVING ROOM	NO REQUIREMENTS	120	150
DINING ROOM	NO REQUIREMENTS	80	100
BEDROOMS	SHALL COMPLY WITH SECTION 4.04.4.1		

- (t) Section 602.3 HEAT SUPPLY (Page 17, line 5) insert: October 1 to May 1.
- (u) Section 604.1 FACILITIES REQUIRED is amended to read as follows in its entirety: Every building or part thereof used for human occupancy shall be adequately and safely provided with an electrical system in compliance with the requirements of the National Electrical Code.
- (v) Sections 604.2 and 604.3 under ELECTRICAL FACILITIES, are deleted in their entirety.
- (w) Vacant buildings shall be kept weather tight and secure from trespassers, safe for entry by police officers and firefighters in times of emergency, and, together with its premises, free from nuisance and in good order, as follows:
 - (1) Building openings: Doors, windows, areaways and other openings shall be weather tight and secured against entry by birds, vermin and trespassers. Missing or broken doors, windows and opening coverings shall be covered with one half inch CDX plywood, weather protected, tightly fitted to the opening and secured by screws or bolts. If ordered by the code official, material used to secure the premises shall be of similar architectural treatment, material or color to the structure and of such a nature that to the extent practicable the property does not appear to be vacant.
 - (2) Premises: The premises on which a structure is located shall be clean, safe and sanitary and shall not pose a threat to the public health or safety. The code official may order that the vehicular ingress/egress of the premises be barricaded to prevent vehicular traffic on the premises by anyone other than the owner and others expressly and individually authorized by the owner.
 - (3) All other requirements of this Property Maintenance Code shall apply to vacant structures and property except that the Code Official may waive any requirement that is unnecessary for the protection of the public health or safety because the structure is unoccupied and secured against unauthorized entry.
(Ord. 98-10. Passed 11-8-10.)

- (x) Whether or not criminal prosecution under this Property Maintenance Code occurs, if the owner, tenant, occupant or operator of any premises fails to correct any violation of this Property Maintenance Code within the time prescribed in the written notice, the Superintendent of Building Inspection and Zoning or designee may cause the violation to be corrected or abated and the cost thereof as described in Section 557.05, including administrative and supervisory costs, shall be certified to the Butler County Auditor, shall be entered upon the tax duplicate and be a lien upon the premises and be collected as other taxes and returned to the Municipal General Fund. The costs of emergency repairs under subsection 109.5 of this Property Maintenance Code may also be assessed under this subsection in addition to or in place of civil legal action. (Ord. 119-11. Passed 11-28-11.)

1343.04 SAVING CLAUSE.

Nothing in this chapter or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance modified as stated in Section 1343.02 of this chapter; nor shall any just or legal right or remedy of any character be lost, impaired or affect by this chapter.
(Ord. 93-07. Passed 7-9-07.)

1343.99 PENALTY.

Any person, firm or corporation who violates any provisions of this chapter is guilty of a misdemeanor of the third degree and, upon conviction thereof, shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty days, or both. Each day that a violation continues shall constitute a separate offense.
(Ord. 93-07. Passed 7-9-07.)

ORDINANCE NO. _____

ORDINANCE TO AMEND VARIOUS CHAPTERS OF THE BUILDING CODE OF
ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Various chapters of the Building Code of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio are hereby revised as shown in the attached Exhibit "A" which is incorporated herein by reference.

Section 2. This ordinance shall take effect on September 1, 2013.

Passed _____

Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council

CITY OF FAIRFIELD, OHIO
CITY COUNCIL COMMUNICATION

ITEM:

April 22, 2013

Liquor permit application in the name of MBS Gas, Inc., 5575 Dixie Highway, Fairfield, Ohio 45014 (Permit Classes: C1, C2 and D6).

FINANCIAL IMPACT:

No financial impact.

SYNOPSIS:

The City of Fairfield is in receipt of an application from the Ohio Division of Liquor Control for a C1, C2 and D6 permit for the above liquor permit applicant.

BACKGROUND:

Background checks from the Building and Zoning Division and Police Department are attached for Council and staff's review.

RECOMMENDATION:

It is recommended that City Council request, by simple motion, that no hearing be held on the liquor permit application in the name of MBS Gas, Inc., 5575 Dixie Highway, Fairfield, Ohio 45014 (Permit Classes: C1, C2 and D6).

LEGISLATIVE ACTION REQUIRED: Simple Motion of Council

Prepared by: Heather Wilson
Approved for Content by: Heather Wilson
Financial Review (where applicable) by: _____
Legal Review (where applicable) by: Jeff A. Clemmons
Accepted by Council Agenda: Jessy Burton

DEPARTMENTAL CORRESPONDENCE

TO Michael J. Dickey, Police Chief
Tim Bachman, Development Services Director

FROM Alisha Wilson, Clerk of Council 

11(C)U) H

City
of
Fairfield



SUBJECT Request for Background Check – Liquor Permit

DATE 4-2-13

Attached is a liquor permit application in the name of MBS Gas, Inc., 5575 Dixie Highway, Fairfield, OH 45014 (Permit Classes: C1, C2 and D6)

Please complete the necessary background check and submit your findings to me **no later than 3:00 PM on Friday, April 12, 2013.**

This item will be added to Council's Regular Meeting agenda of Monday, April 22, 2013.

Thank you for your assistance.

c: Arthur E. Pizzano, City Manager
Peggy Flaig, Development Services
File

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
5606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

5378245		TRFO	MBS GAS INC	
PERMIT NUMBER		TYPE	5575 DIXIE HWY	
06	01	2012	FAIRFIELD OH 45014	
ISSUE DATE				
03	26	2013		
FILING DATE				
C1	C2	D6		
PERMIT CLASSES				
09	011	A	F09558	
TAX DISTRICT			RECEIPT NO.	

FROM 03/28/2013

27595550015			FIVE RIVER PETROLEUM LLC	
PERMIT NUMBER		TYPE	5575 DIXIE HIGHWAY	
06	01	2012	FAIRFIELD OHIO 45014	
ISSUE DATE				
03	26	2013		
FILING DATE				
C1	C2	D6		
PERMIT CLASSES				
09	011			
TAX DISTRICT			RECEIPT NO.	



MAILED 03/28/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 04/29/2013

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A TRFO 5378245**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

- (Title)- Clerk of County Commissioner
 Clerk of City Council
 Township Fiscal Officer

(Date)

CLERK OF FAIRFIELD CITY COUNCIL
5350 PLEASANT AV
FAIRFIELD OHIO 45014

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT #	5378245

**OHIO DEPARTMENT OF COMMERCE
DIVISION OF LIQUOR CONTROL**
6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
Telephone: (614) 644-2431 http://www.com.ohio.gov/liq

OFFICER/ SHAREHOLDERS DISCLOSURE FORM



SECTION A. (This form must accompany all applications of a corporate business entity)

Name of Corporation	MBS Gas, Inc.	DBA Name	
Permit Premises Address	5575 Dixie Highway	City, State	Fairfield, Ohio
		Zip Code	45014
Township, if in Unincorporated Area		Tax Identification No. (TIN)	45-3701318

SECTION B.

1. Is stock publicly traded? YES NO
If "YES", indicate exchange _____ & Do NOT complete SECTION D.

2. Does any stockholder own 5% or more shares? If YES, complete SECTION D. YES NO

3. Total Number of shares issued 1,000

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement enforcement action, or collect taxes.

SECTION C. List the top five (5) officers of the captioned corporation. If an office is NOT held please indicate by writing NONE.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLCA191.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO None		
2) President Avtar Singh		5/20/1977
3) Vice-President None		
4) Secretary None		
5) Treasurer None		

SECTION D. Stockholders holding 5% or more outstanding shares. Note: If you answered Question 1 YES, do not complete this section

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLCA191. If none, please indicate by writing "NONE".

1) Stockholder's Name	Avtar Singh	Social Security No. (if Individual)		NUMBER OF SHARES HELD (NOT PERCENTAGE) 1,000
Residence Address	4602 Wyndtree Drive, #47	Tax Identification No. (if applicable)		
City and State	West Chester, Ohio	Zip Code	45069	
Telephone No.	(917) 346-8838	Date of Birth	5/20/1977	
2) Stockholder's Name		Social Security No. (if Individual)		NUMBER OF SHARES HELD (NOT PERCENTAGE)
Residence Address		Tax Identification No. (if applicable)		
City and State		Zip Code		
Telephone No.		Date of Birth		

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE TO LIST STOCKHOLDERS)

STATE OF OHIO, Montgomery

COUNTYss

I, Avtar Singh being first duly sworn, according to law, deposes and says that he/she is (Title) President of the MBS Gas, Inc., a corporation duly authorized by law to do business in the State of Ohio, and that the

statements made in the foregoing affidavit are true.

(Signature) Avtar Singh (Print Name and Corporate Title) Avtar Singh, President

Sworn to and subscribed in my presence this 25 day of September 2012



Shereese A. Bohm
(Notary Public) (Notary Expiration)

NAME OF ESTABLISHMENT MBS Gas
 ADDRESS 5575 Dixie Hwy
Fairfield, OH 45014.

- | | YES | NO |
|---|--------------------------|-------------------------------------|
| 1. Is there a conviction record of the applicant, any partner, member, officer director, manager or any shareholder owning 5% or more of the capital stock, for felonies or other crimes relating to his ability to operate a liquor establishment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is there a prior unfavorable enforcement record of applicant and/or operation in disregard for laws, regulations or local ordinances? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Is there misrepresentation of material fact by applicant in making application to the Department? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Is there an inability of law enforcement authorities and of authorized agents of the Department to gain ready entrance to the permit premise; or location of permit premise at such distance from the road or street as to be isolated from police or other observation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Will the place substantially and adversely interfere with the public decency, sobriety, peace, or good order of the neighborhood in which it is located? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Will the place substantially and adversely interfere with the normal orderly conduct of a church, library, public playground, school or township park? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Will the granting or transferring of a permit substantially interfere with the morals, safety, or welfare of the public? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Will there be adverse effects of saturation of the area in relation to the number of existing permits, and will there be any adverse conditions in the area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

REMARKS: _____


 Michael J. Dickey
 Chief of Police

HEARING REQUESTED: Yes No

Date: April 3, 2013

DEPARTMENTAL CORRESPONDENCE

City
of
Fairfield

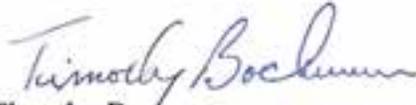


TO Alisha Wilson, Clerk of Council
FROM Timothy Bachman, Development Services Director

SUBJECT Liquor Permit Application

DATE 04/08/13

The business at 5575 Dixie Hwy, in the name of MBS Gas, Inc. is in a C-3A, General Business District Modified zone and is a permitted use.


Timothy Bachman
Development Services Director

plf

Brian Rose

11(0)11) P

From: John Allen [john.allen@fullerisford.com]
Sent: Monday, March 04, 2013 2:52 PM
To: Brian Rose
Subject: RE: Fairfield
Attachments: _1 - Pg 1 of 2 - City of Fairfield.jpg; _1 - Pg 2 of 2 - City of Fairfield.jpg; _2 - Pg 1 of 2 - City of Fairfield.jpg; _2 - Pg 2 of 2 - City of Fairfield.jpg

Brian,
Good afternoon! Per request please review the attachment(s) showing specs for the following:

#1: 2013 F-450 Chassis/cab, 4x2, (per Item - 38AT) including the standard specifications and the options that you included:

- additional set of keys
- All-terrain tires
- Running boards
- 84" CA in lieu of 60" CA

=====
Your cost w/ State of OH Concession already deducted and including title fee, temp. tag, fob Fairfield, OH is: **\$29,399.50**

#2: 2013 F-450 Supercab Chassis/cab, 4x4 (per Item - 39AT) including the standard specifications and the options that you included:

- additional set of keys
- All-terrain tires
- Running boards
- 84" CA in lieu of 60" CA
- Snow Plow Prep Pkg.
- Diesel Engine

=====
Your cost w/ State of OH Concession already deducted and including title fee, temp. tag, fob Fairfield, OH is: **\$40,440.50 / unit**

Note that the purchase of any of these trucks from Fuller Ford will also entitle you to your Fuller Ford FREE Lifetime Oil Change Program (for as long as the City of Fairfield owns the truck; for the gas engine - every 5000 miles; for the diesel engine - whenever "oil change is required" shows on the dash display monitor; includes the oil, filter and labor; work to be performed here at Fuller Ford Inc.)

Thank you for the opportunity to be of assistance! Please feel free to call / email me with any questions, spec changes, etc.

Regards,
John Allen





5715 Canal Rd., Cleveland, OH 44125
Phone 800.533.2400 Fax 216.520.0486
ValleyFordTruck.com

March 1, 2013
City of Fairfield
Brian Rose

Hi Brian,

Following are the specifications for the trucks we have been discussing:

2013 Ford F450
2wd
Regular Cab
6.8L V10
AT tires
AC
AM FM radio
1 extra key
165" wb
Color _____
30 day tag
Delivery
Upfitter switches
Cost is \$29,800.50

I will need this form signed and sent back with the purchase order to order the truck. Also please note color above.

Regards,

Jenny Loveland
Valley Ford Truck Inc.

XX

Signature to approve specifications/color

Proud Member of:
Northern Ohio Service Directors
Ohio Township Association
Vendor State of Ohio

ITEM - 38AT - CAB & CHASSIS - Regular Cab, 2WD, DRW, 16,000 lb. - Gasoline

DELIVERY: 120 DAYS A.R.O. (See IV.A.) INDICATE CITY/STATE OF MANUFACTURER: Louisville, KY

CONTRACTOR: Valley Ford MFG: Ford MODEL: F450 MODEL NUMBER: F4G

Item ID No.: 23941 UNIT PRICE: \$28,449.00

List any exceptions to the specifications: NONE

ITEM ID NO.		UNIT COST
23942	Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor:	\$.50
23943	Minimum Delivery Charge	\$ 50.00

ITEM ID NO.	CONTRACTOR'S ORDER NO.	OPTIONS	UNIT COST
23944	TAG	30 Day Tag	\$ 18.50
23945	PM	Parts Manual (Electronic)	\$ 380.00
23946	SM	Service Manual (Electronic)	\$ 380.00
23947	1K	Additional Set of Keys	\$ 70.00
23948	1S	Cloth Seat Covering	\$ 85.00
23949	52B	Tow Hitch / 7-Pin Plug / Brake Controller	\$ 500.00
23950	THB	All-Terrain Tires	\$ 189.00
Specify on PO	TTM1	Trailer Tow Mirrors	\$ 0.00
23951	BU	Backup Alarm	\$ 59.00
Specify on PO	SB EXT	Seat Belt Extender (1 Unit)	\$ 0.00
23952	18B	Step Rails / Running Boards	\$ 273.00
23953	9' DUMP	2 Yard Dump Body	\$ 7,100.00
23954	84" CA	84" CA in lieu of 60" CA (NA w/ 2 Yard Dump Body)	\$ 184.00
23955	99T	*Diesel Engine	\$ 6,649.00

List standard paint colors: Vermillion Red, Pale Adobe, Blue Jeans Metallic, Tuxedo Black, Sterling Gray, Ingot Silver, Green Gem Metallic, Oxford White

INSTRUCTIONS TO STATE AGENCIES REQUESTING UNSPECIFIED OPTIONS: State agencies that require additional equipment that is not listed in the option table above will need to provide the following to the contract analyst, David Colopy, for approval;

1. Quote: Lists the unit price and the contents of the option(s). Manufacturer's invoice should be included.
2. Justification: Specific reasoning why the unlisted option is needed to perform job duties.

UNSPECIFIED OPTION PRICE: 3% above manufacturer invoice.

*The standard gasoline engine configuration of 38AT has a Dealer Order Cut Off Date of 4/26/13. Configured with the Diesel Engine option, the vehicle has a Dealer Order Cut Off Date of 5/24/13.

11 @ (1) *

Brian Rose

From: John Allen [john.allen@fullerisford.com]
Sent: Monday, March 04, 2013 2:52 PM
To: Brian Rose
Subject: RE: Fairfield
Attachments: _1 - Pg 1 of 2 - City of Fairfield.jpg; _1 - Pg 2 of 2 - City of Fairfield.jpg; _2 - Pg 1 of 2 - City of Fairfield.jpg; _2 - Pg 2 of 2 - City of Fairfield.jpg

Brian,
 Good afternoon! Per request please review the attachment(s) showing specs for the following:

#1: 2013 F-450 Chassis/cab, 4x2, (per Item - 38AT) including the standard specifications and the options that you included:

- additional set of keys
- All-terrain tires
- Running boards
- 84" CA in lieu of 60" CA

=====
 Your cost w/ State of OH Concession already deducted and including title fee, temp. tag, fob Fairfield, OH is: \$29,399.50

#2: 2013 F-450 Supercab Chassis/cab, 4x4 (per Item - 39AT) including the standard specifications and the options that you included:

- additional set of keys
- All-terrain tires
- Running boards
- 84" CA in lieu of 60" CA
- Snow Plow Prep Pkg.
- Diesel Engine

=====
 Your cost w/ State of OH Concession already deducted and including title fee, temp. tag, fob Fairfield, OH is: \$40,440.50 / unit

Note that the purchase of any of these trucks from Fuller Ford will also entitle you to your Fuller Ford FREE Lifetime Oil Change Program (for as long as the City of Fairfield owns the truck; for the gas engine - every 5000 miles; for the diesel engine - whenever "oil change is required" shows on the dash display monitor; includes the oil, filter and labor; work to be performed here at Fuller Ford Inc.)

Thank you for the opportunity to be of assistance! Please feel free to call / email me with any questions, spec changes, etc.

Regards,
 John Allen





5715 Canal Rd., Cleveland, OH 44125
Phone 800.533.2400 Fax 216.520.0486
ValleyFordTruck.com

March 1, 2013
City of Fairfield
Brian Rose

Hi Brian,

Following are the specifications for the trucks we have been discussing:

2013 Ford F450
4wd
Super Cab
6.7L V8 diesel
AT tires
AC
AM FM radio
1 extra key
186" w/b, 84" CA
Color _____
30 day tag
Delivery
Upfitter switches
Cost is \$43,238.50

I will need this form signed and sent back with the purchase order to order the truck. Also please note color above.

Regards,
Jenny Loveland
Valley Ford Truck Inc.

XX

Signature to approve specifications/color

Proud Member of:
Northern Ohio Service Directors
Ohio Township Association
Vendor State of Ohio

ITEM – 39AT – CAB & CHASSIS – Regular Cab, 4WD, DRW, 16,000 lb. – Gasoline

DELIVERY: 120 DAYS A.R.O. (See IV.A.) **INDICATE CITY/STATE OF MANUFACTURER:** Louisville, KY

CONTRACTOR: Valley Ford **MFG:** Ford **MODEL:** F450 **MODEL NUMBER:** F4H

Item ID No.: 23956 **UNIT PRICE:** \$31,015.00

List any exceptions to the specifications: NONE

ITEM ID NO.		UNIT COST
23957	Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor:	\$.50
23958	Minimum Delivery Charge	\$ 50.00

ITEM ID NO.	CONTRACTOR'S ORDER NO.	OPTIONS	UNIT COST
23959	TAG	30 Day Tag	\$ 18.50
23960	PM	Parts Manual (Electronic)	\$ 380.00
23981	SM	Service Manual (Electronic)	\$ 380.00
23962	1K	Additional Set of Keys	\$ 70.00
23963	1S	Cloth Seat Covering	\$ 85.00
23964	52B	Tow Hitch / 7-Pin Plug / Brake Controller	\$ 500.00
23966	THB	All-Terrain Tires	\$ 189.00
Specify on PO	TTM1	Trailer Tow Mirrors	\$ 0.00
23967	BU	Backup Alarm	\$ 59.00
Specify on PO	SB EXT	Seat Belt Extender (1 Unit)	\$ 0.00
23968	18B	Step Rails / Running Boards	\$ 273.00
23969	9' Dump	2 Yard Dump Body	\$ 7,100.00
23971	84" CA	84" CA in lieu of 60" CA (NA w/ 2 Yard Dump Body)	\$ 161.00
23972	473	Manufacturer Snow Plow Prep Package (Does not include Plow)	\$ 73.00
23973	PLOW	Snow Plow (order w/ Snow Plow Prep Package)	\$ 2,971.00
23975	99T	*Diesel Engine	\$ 6,649.00

List standard paint colors: Vermillion Red, Pale Adobe, Blue Jeans Metallic, Tuxedo Black, Sterling Gray, Ingot Silver, Green Gem Metallic, Oxford White

INSTRUCTIONS TO STATE AGENCIES REQUESTING UNSPECIFIED OPTIONS: State agencies that require additional equipment that is not listed in the option table above will need to provide the following to the contract analyst, David Colopy, for approval;

1. Quote: Lists the unit price and the contents of the option(s). Manufacturer's invoice should be included.
2. Justification: Specific reasoning why the unlisted option is needed to perform job duties.

UNSPECIFIED OPTION PRICE: 3% above manufacturer invoice.

*The standard gasoline engine configuration of 39AT has a Dealer Order Cut Off Date of 4/26/13. Configured with the Diesel Engine option, the vehicle has a Dealer Order Cut Off Date of 5/24/13.

11 (D) (U) A

Brian Rose

From: John Allen [john.allen@fullerisford.com]
Sent: Tuesday, March 12, 2013 11:54 AM
To: Brian Rose
Subject: New Focus Quote

Brian,
Good morning! Per request please review the following quotation for a new 2013 Ford Focus 4-door Sedan:

2013 Focus 4-Dr. Sedan SE
Oxford White w/ Med. Lt. Stone Cloth Interior
Pkg. 200A including:
- Ford SYNC 4" SCR
- SYNC
- 16" Alloy wheels
- 2.0L I4 GDI Engine
Automatic Transmission
Extra Key

=====
Total Due with State of Ohio Concession already deducted, fob Fairfield, OH would be: **\$15,745.50**

The purchase of this car from Fuller Ford would also entitle the City of Fairfield to our Fuller Ford free Lifetime Oil Change Program (every 5000 miles for as long as the City of Fairfield owns the car; includes the oil, filter and labor; work to be performed here at Fuller Ford Inc.)

Please call with any questions, spec changes, etc. Thank you for the opportunity to be of assistance -

Sincerely,
John Allen



John Allen
Sales Manager
Fuller Ford Inc.
513-352-5800, ext. 50 work
FOR ALL YOUR VEHICLE NEEDS
www.fullerisford.com

FLT-13-40 | WADON
 ce 211
 motor room

ITEM - 1AA - SEDAN - Compact - Gasoline

DELIVERY: 135 DAYS A.R.O. (See IV.A.) INDICATE CITY/STATE OF MANUFACTURER: Wayne, MI

CONTRACTOR: Germain Ford MFG: Ford MODEL: Focus MODEL NUMBER: P3F

Item ID No.: 23593 UNIT PRICE: \$15,499.00

List any exceptions to the specifications: NONE

ITEM ID NO.		UNIT COST	
23594	Delivery charge per mile, per vehicle round trip map mileage for delivery by the contractor:	\$.50	
23595	Minimum Delivery Charge	\$ 50.00	130

ITEM ID NO.	CONTRACTOR'S ORDER NO.	OPTIONS	UNIT COST	
23596	30 DAY	30 Day Tag	\$ 18.50	18.50
23597	PARTS CD	Parts Manual (Electronic)	\$ 219.00	
23598	SHOP CD	Service Manual (Paper)	\$ 219.00	
23599	3 RD KEY	Additional Set of Keys	\$ 99.00	99.00
23600	EXTENDER	Seat Belt Extender (1 Unit)	\$ 25.00	

List standard paint colors: Tuxedo Black-UH, Sterling Grey Metallic-UJ, Ingot Silver Metallic-UX Oxford White-YZ

INSTRUCTIONS TO STATE AGENCIES REQUESTING UNSPECIFIED OPTIONS: State agencies that require additional equipment that is not listed in the option table above will need to provide the following to the contract analyst, David Colopy, for approval:

1. Quote: Lists the unit price and the contents of the option(s). Manufacturer's invoice should be included.
2. Justification: Specific reasoning why the unlisted option is needed to perform job duties.

UNSPECIFIED OPTION PRICE: 3% above manufacturer invoice.

\$ 15746.50

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FULLER FORD, INC. FOR THE PURCHASE OF TWO (2) TRUCKS AND ONE (1) FORD FOCUS AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to enter into a contract with Fuller Ford, Inc. for the purchase of two (2) trucks and one (1) Ford Focus in accordance with the bid on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the dealer final order date is May 24, 2013; wherefore, this ordinance shall take effect immediately upon its passage.

Passed _____
Mayor's Approval _____

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____ Emergency _____

Third Reading _____

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council



801 Corporate Drive
Lexington, KY 40503
Tel 859 / 223-3999
Fax 859 / 223-8917

GRW Engineers, Inc.

Engineering
Architecture
Planning
GIS
Aviation Consultants

Arlington, TX
Cincinnati, OH
Columbus, OH
Indianapolis, IN
Knoxville, TN
Louisville, KY
Nashville, TN

April 4, 2013

Mr. Dave Crouch
Public Utilities Director
City of Fairfield, Ohio
5021 Groh Lane
Fairfield, OH 45014

Re: Engineering Services Proposal
Related to Pleasant Avenue
Water Main Replacement/Improvements
GRW Project No. 4093-04

Dear Mr. Crouch:

We are pleased to furnish this engineering services proposal for design phase services related to the above referenced project.

As we have discussed previously, this project would involve the replacement of approximately 5,000 l.f. of water main and appurtenances in the following areas along and adjacent to Pleasant Avenue: Reesor Road to Evalie Drive, Hunter Road to Happy Valley Drive, Evalie Drive to Crestwood Lane and Vonderhaar Court. We understand that this design work would be accomplished in 2013 and would be divided into as many as four (4) separate bid packages.

Our proposed engineering services associated with the design phase of the project would be as follows:

Design Services	\$60,000
-----------------	----------

From our most recent conversation, we understand that the proposed improvements will be constructed in multiple phases beginning in 2015. Based on this schedule, we would propose that future engineering services associated with bidding phase and construction phase services be added to this agreement by future amendment when a schedule for the proposed future construction is determined.

Please call me if you have any questions concerning this matter. If this proposal is acceptable to the City of Fairfield, please execute and return one (1) copy.

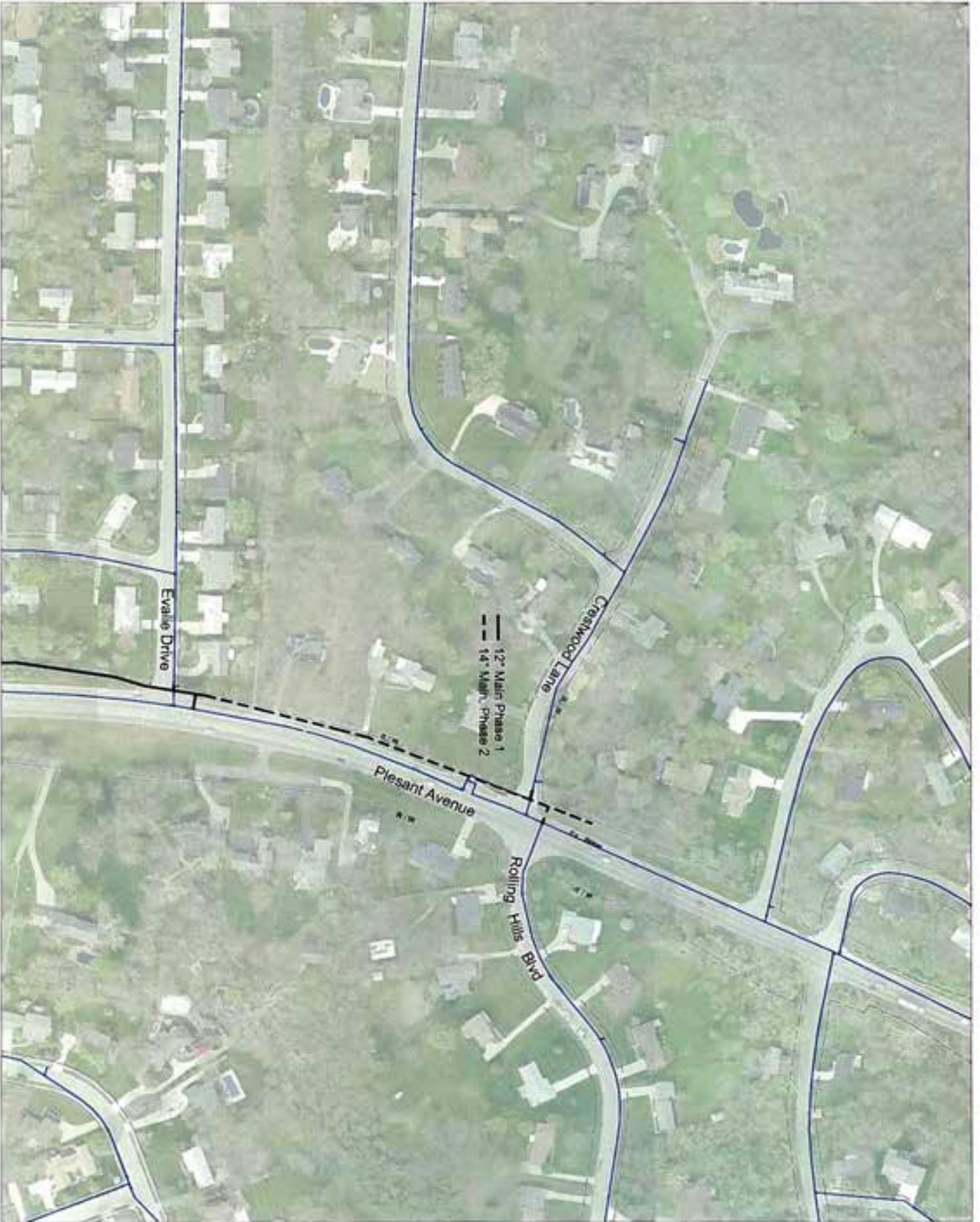
Respectfully yours,

Bob C. Smallwood, P.E.
Vice President

ACCEPTED BY:

City of Fairfield





ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GRW ENGINEERS, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE DESIGN OF THE PLEASANT AVENUE WATER MAIN PROJECT.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to enter into a contract with GRW Engineers, Inc. for professional engineering services related to the design of the Pleasant Avenue Water Main project in accordance with the proposal on file in the office of the City Manager.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	
Third Reading	_____	

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 113-12 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 113-12, the 2013 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated Water Surplus Fund	\$75,746
To:	60516025-253100 Automotive Equipment <i>(Replacement Vehicle for Meter Readers)</i>	\$15,746
To:	60516023-233300 Engineering Services <i>(Engineering Services for Pleasant Avenue Water Main Project)</i>	\$60,000
From:	Unappropriated Capital Improvement Fund	\$71,141
To:	40216025-253100 Automotive Equipment <i>(Replacement Vehicle for Street Division (\$29,700) and Replacement Vehicle for Fleet Division (\$41,441))</i>	\$71,141

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	
Third Reading	_____	

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2013\Contractual Appropriation 4-22 - Ord

Item 11(F)(2) A

**CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Evidence Drying Cabinet

April 22, 2013

The Police Department requests an appropriation to purchase an evidence drying cabinet. This item was included in the Capital Improvement Program, project no. POL-13-004.

FINANCIAL IMPACT:

There will be no long-term financial cost. The purchase will be made using grant funds.

SYNOPSIS:

The proper processing of biological evidence is crucial in many investigations. Biological evidence requires proper drying and packaging prior to being sent to a forensic laboratory. We have one cabinet which does not give us sufficient capacity for processing more than one case at a time. A second cabinet is necessary to meet our current requirements.

The vendor is Mystaire Inc.

RECOMMENDATION:

It is recommended that Council authorize this purchase by appropriating \$9,475 from the Local Law Enforcement Block Grant fund.

LEGISLATION ACTION:	Suspension of Rules and Adoption Requested?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
	Emergency Provision Needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO

Prepared by: Michael J. Dickey, Chief of Police
Approved for Content by: Michael J. Dickey, Chief of Police
Financial Review (where applicable): Mary Hopton, Director of Finance
Legal Review (where applicable): John Clemmons, Law Director
Accepted for Council Agenda: Alisha Wilson, Clerk of Council

M. Dickey
Mary Hopton
J. H. Clemmons
Jenny Buxton for Alisha Wilson

MYSTAIRE™ | MISONIX®

2150 East Wilton Ave | Building 3, Suite C | Creedmoor, NC 27522
 Toll Free: 877.328.3912 | Phone: 919.229.8511 | Fax: 919.528.1744 | sales@mystaire.com

PRICE QUOTATION NO. Q13022701ACFOPD

Michael Dickey	Phone: (513) 867-6015	Date: 02/27/2013
Fairfield Ohio Police Department	Fax:	Rep.: Alex Chen
5230 Pleasant Ave	Email: mdickey@fairfieldoh.gov	
Fairfield, OH 45014		

Qty	Item #	Name	Price	Total
1	FR-3100	Single Evidence Drying Cabinet	\$8,950.00	\$8,950.00
			Sub Total	\$8,950.00
			Shipping & Handling	\$525.00
			Taxes 0.000%	\$.00
			TOTAL	\$9,475.00

To place your order, please call, send fax or e-mail:

(P) 919.229.8511 (F) 919.528.1744 (E) sales@mystaire.com

Terms of Sale: Net 30 Days on approved credit
 FOB: Origin or Shipping Point
 Price Validity: 45 Days
 Delivery: 30 Days ARO
 Prepayment Options:
 - Visa, MC, AMEX,
 - Certified Check or Wire Transfer

Thank you for your business,

Alex Chen
Technical Sales Specialist

CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION

ITEM:

Date: 4/22/13

Appropriation of \$7,400 from the Water Surplus Fund for professional services for pressure washing the Mack Road and part of the Hunter Road water storage towers.

FINANCIAL IMPACT:

As part of the City's 2013-2017 Capital Improvement Program, under Project No. WAT-13-014, the Public Utilities Department requested funding for Water Storage Tank/Tower Maintenance for the City's water storage tanks.

SYNOPSIS:

This project is part of an on-going effort to ensure that the City water storage tower steel structures are protected from corrosion. By killing and preventing the growth of mildew, the coating systems life and the well-maintained appearance of the tanks will be extended.

BACKGROUND:

This appropriation would provide funding to pressure wash the Mack Tank and the lower third of the Hunter Road Tank. The Public Utilities Department has obtained quotes for the washing services from National Wash Authority dba Midwest Mobile Washers, LLC. Midwest Mobile Washers will clean the tanks and apply an anti-mildew inhibitor for long term results before mildew stains re-occur on the tank surfaces. The quotes are summarized as follows:

TANK	AMOUNT
Mack Road Tank	\$4,400.00
Hunter Road Tank	2,965.00
TOTAL	\$7,365.00

Midwest Mobile has worked with the City previously and proven to be reliable and professional.

RECOMMENDATION:

It is recommended that City Council appropriate funding in the amount of \$7,400 from the Water Surplus Fund for pressure washing services for the Mack and Hunter Road Water Storage Tanks.

LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested? yes no If yes, explain above.

Emergency Provision Needed? yes no If yes, explain above.

Prepared by: [Signature]
Approved for Content by: [Signature]
Financial Review (where applicable): May Hook
Legal Review (where applicable): [Signature]
Accepted for Council Agenda: Jerry Burton

11 (F) 2 A



National Wash Authority
 dba Midwest Mobile Washers, LLC
 100 North Jackson Street
 Morison IL 61270
 800-804-7517

Date	Location
4/1/2013	on site

Name / Address
City of Fairfield Andy Eddy Fairfield, OH 513-858-8328 aeddy@fairfield-city.org

Email: aswashboy@essex1.com	Phone #	Fax #
Website: www.watertowercleaners.com	815-772-8085	800-521-1589

Terms
Net 15

Description	Total
<p>National Wash Authority (dba Midwest Mobile Washers) along with twenty-one years of water storage tank cleaning experience, proposes the following for City of Fairfield. Please keep in mind our cleaning procedures are specifications wrote by coating engineer specialists and paint manufacturers alike throughout the United States. National Wash Authority/Midwest Mobile Washers is a Minority-Female owned business.</p> <p>LOCATION: 3259 MACK ROAD, FAIRFIELD, OH.</p> <p>We will render the proper cleaning procedures standard to the industry (AWWA - SSPC - NACE) to clean a 500,000 gallon waterspheroid water tower at 85' to the top. We will be using an oxygenated bleach presoak system to kill the root of the mildew growth using 100% frictionless procedures. No cable hanging/No wheel baskets/No hanging apparatus will be used to clean your tanks surface. These type of procedures are commonly known of scratching and damaging the painted surface with leaving long term maintenance issues to arise. We render 100% frictionless operations to clean your tanks surface.</p> <p>We pride ourselves over any Competition by being a Safety & Compliant Company.</p> <ul style="list-style-type: none"> * Employee's are Certified on lift equipment. (Have operator cards) * Prevailing wages scales are met. * Background checks done on ALL employee's. * Twenty years of NO Insurance claims, EVER! * Twenty years of NO lost time of work DUE TO AN INJURY! * 100% TOTALLY FRICTIONLESS CLEANING TREATMENT of a tanks surface. <p>All cleaning agents used are biodegradable and are environmentally friendly. All safety equipment will be used by OSHA requirements (Miller safety harness). All equipment, safety devices, crane and aerial machinery are included in this bid. Enclosed is a copy of our General Liability Insurance coverage. Our employees' are fully covered under our Workman's Compensation Insurance. This proposal terminates if not accepted by December 31, 2013</p>	
<p>CONFIDENTIALITY: This proposal/quotation and any files transmitted with it may contain information proprietary to Midwest Mobile Washers, LLC, and are intended solely for the use of the individual or entity to whom they are addressed, shall be maintained in confidence and not disclosed to third parties without the written consent of Midwest Mobile Washers, LLC. All information on this proposal/quotation is not to be copied, reprinted or used as specification for any other RFP's. Procedures, methods and products are not to be copied, shown or reprinted to any third party.</p>	

Total

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an charge over and above the estimate. All agreements contingent upon strikes, accident or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. Payment terms - Net 30 days. 2% of total invoice added after 30 days and compounded thereafter.



National Wash Authority
 dba Midwest Mobile Washers, LLC
 100 North Jackson Street
 Morison IL 61270
 800-804-7517

Date	Location
4/1/2013	on site

Name / Address
City of Fairfield Andy Eddy Fairfield, OH 513-858-8328 aeddy@fairfield-city.org

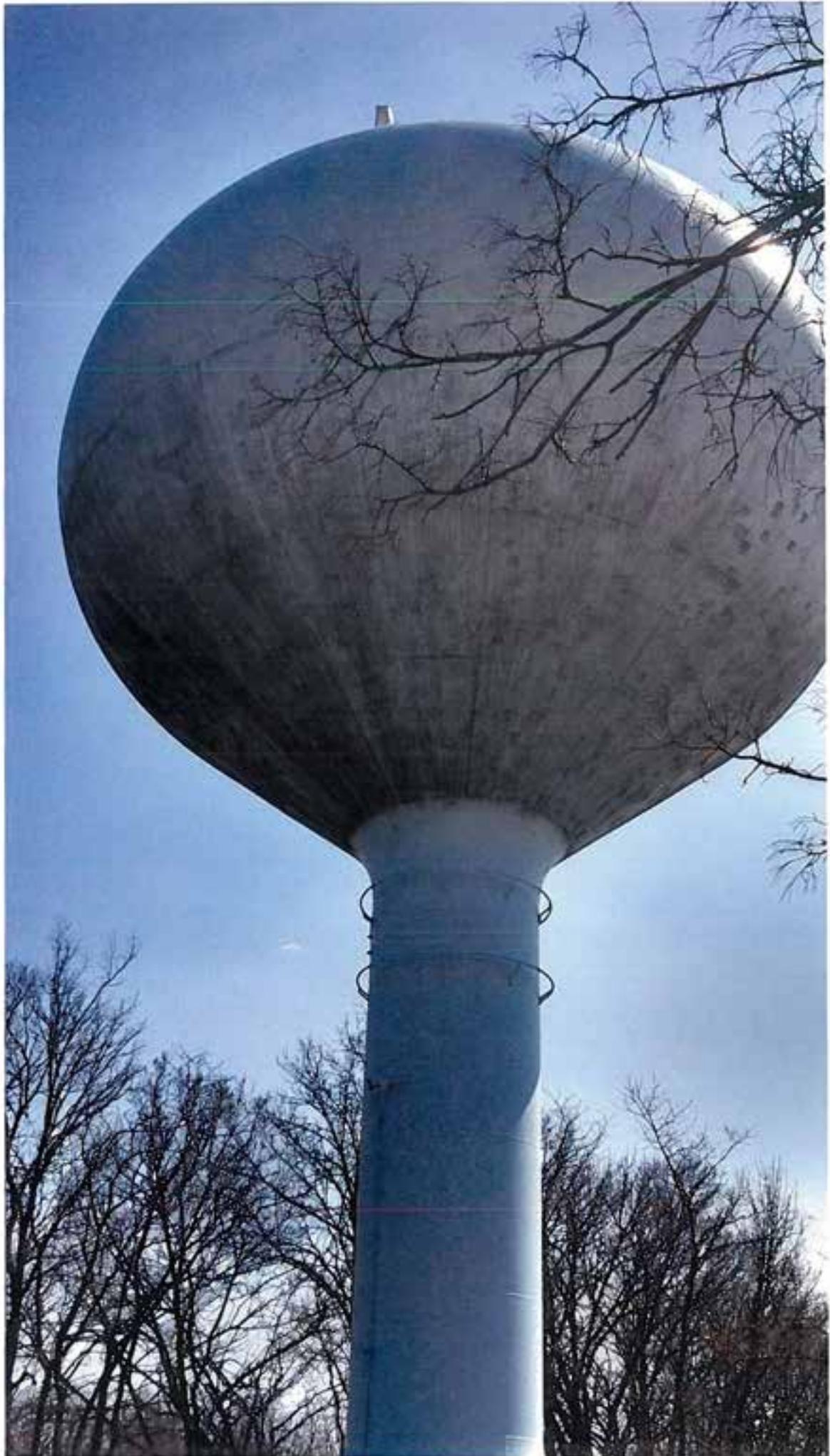
Email: aswashboy@essex1.com	Phone #	Fax #
Website: www.watertowercleaners.com	815-772-8085	800-521-1589

Terms
Net 15

Description	Total
<p>The Best Management Practice is a THREE STEP CLEANING PROCESS to clean water storage tanks to yield long term results using equipment that offers a 100% FRICTIONLESS procedure which is the second most important process. Cable hanging, wheel baskets, basket hanging, bosun seats or any other fancy hanging apparatus WILL DAMAGE THE TANKS SURFACE. These type of procedures are commonly known of scratching and damaging the painted surface with leaving long term maintenance issues to arise (surface rust). Most of these hanging types of equipment are designed for painting practices only, not cleaning.</p> <p>Step #1 A presoak system using oxygenated bleach at a pre-determined percentage rate to kill the root of any mildew growth. This process kills the root of mildew spores. Just using a pressure washer to clean will yield poor results.</p> <p>Step #2 Proper pressure washing nozzles and techniques are required to wash a water tower's surface. Water tank coatings may have a thin paint, cracked paint, bubbled paint, chipped paint, oxidized paint and peeling paint, which all play a vital role of how a tanks surface needs to be cleaned. By choosing the wrong tip or nozzle you will see a damaged coating immediately. Improper knowledge and techniques can leave streak marks and wave patterns on the tanks surface.</p> <p>Step #3 Once tanks are cleaned, an anti-mildew inhibitor needs to be applied to yield the best, long term results before mildew stains re-occur on the tanks surface.</p> <p>To clean and remove mildew stains using Best Management Practice and 3 step cleaning process to yield long term results at the cost of 4,400.00 The added cost to apply the anti-mildew inhibitor to the tanks surface - NO CHARGE. ANTI-MILDEW INHIBITOR INCLUDED WITH THE CLEANING SERVICE. 0.00</p>	
<p>CONFIDENTIALITY: This proposal/quotation and any files transmitted with it may contain information proprietary to Midwest Mobile Washers, LLC, and are intended solely for the use of the individual or entity to whom they are addressed, shall be maintained in confidence and not disclosed to third parties without the written consent of Midwest Mobile Washers, LLC. All information on this proposal/quotation is not to be copied, reprinted or used as specification for any other RFP's. Procedures, methods and products are not to be copied, shown or reprinted to any third party.</p>	

Total	\$4,400.00
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 dba Midwest Mobile Washers, LLC
 100 North Jackson Street
 Morison IL 61270
 800-804-7517

Date	Location
4/1/2013	on site

Name / Address
City of Fairfield Andy Eddy Fairfield, OH 513-858-8328 aeddy@fairfield-city.org

Email: aswashboy@essex1.com	Phone #	Fax #
Website: www.watertowercleaners.com	815-772-8085	800-521-1589

Terms
Net 15

Description	Total
<p>National Wash Authority (dba Midwest Mobile Washers) along with twenty-one years of water storage tank cleaning experience, proposes the following for City of Fairfield. Please keep in mind our cleaning procedures are specifications wrote by coating engineer specialists and paint manufacturers alike throughout the United States. National Wash Authority/Midwest Mobile Washers is a Minority-Female owned business.</p> <p>LOCATION: GRAY ROAD / HUNTER ROAD, FAIRFIELD, OH.</p> <p>We will render the proper cleaning procedures standard to the industry (AWWA - SSPC - NACE) to clean a 3 MG GSR, BOTTOM 3 RINGS - 30' OR LESS ONLY. We will be using an oxygenated bleach presoak system to kill the root of the mildew growth using 100% frictionless procedures. No cable hanging/No wheel baskets/No hanging apparatus will be used to clean your tanks surface. These type of procedures are commonly known of scratching and damaging the painted surface with leaving long term maintenance issues to arise. We render 100% frictionless operations to clean your tanks surface.</p> <p>We pride ourselves over any Competition by being a Safety & Compliant Company.</p> <ul style="list-style-type: none"> * Employee's are Certified on lift equipment. (Have operator cards) * Prevailing wages scales are met. * Background checks done on ALL employee's. * Twenty years of NO Insurance claims, EVER! * Twenty years of NO lost time of work DUE TO AN INJURY! * 100% TOTALLY FRICTIONLESS CLEANING TREATMENT of a tanks surface. <p>All cleaning agents used are biodegradable and are environmentally friendly. All safety equipment will be used by OSHA requirements (Miller safety harness'). All equipment, safety devices, crane and aerial machinery are included in this bid. Enclosed is a copy of our General Liability Insurance coverage. Our employees' are fully covered under our Workman's Compensation insurance. This proposal terminates if not accepted by December 31, 2013</p>	

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Total

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National Wash Authority
 dba Midwest Mobile Washers, LLC
 100 North Jackson Street
 Morison IL 61270
 800-804-7517

Date	Location
4/1/2013	on site

Name / Address
City of Fairfield Andy Eddy Fairfield, OH 513-858-8328 aeddy@fairfield-city.org

Email: aswashboy@essex1.com	Phone #	Fax #
Website: www.watertowercleaners.com	815-772-8085	800-521-1589

Terms
Net 15

Description	Total
<p>The Best Management Practice is a THREE STEP CLEANING PROCESS to clean water storage tanks to yield long term results using equipment that offers a 100% FRICTIONLESS procedure which is the second most important process. Cable hanging, wheel baskets, basket hanging, bosun seats or any other fancy hanging apparatus WILL DAMAGE THE TANKS SURFACE. These type of procedures are commonly known of scratching and damaging the painted surface with leaving long term maintenance issues to arise (surface rust). Most of these hanging types of equipment are designed for painting practices only, not cleaning.</p> <p>Step #1 A presoak system using oxygenated bleach at a pre-determined percentage rate to kill the root of any mildew growth. This process kills the root of mildew spores. Just using a pressure washer to clean will yield poor results.</p> <p>Step #2 Proper pressure washing nozzles and techniques are required to wash a water tower's surface. Water tank coatings may have a thin paint, cracked paint, bubbled paint, chipped paint, oxidized paint and peeling paint, which all play a vital role of how a tanks surface needs to be cleaned. By choosing the wrong tip or nozzle you will see a damaged coating immediately. Improper knowledge and techniques can leave streak marks and wave patterns on the tanks surface.</p> <p>Step #3 Once tanks are cleaned, an anti-mildew inhibitor needs to be applied to yield the best, long term results before mildew stains re-occur on the tanks surface.</p> <p>To clean and remove mildew stains using Best Management Practice and 3 step cleaning process to yield long term results at the cost of 2,965.00</p> <p>The added cost to apply the anti-mildew inhibitor to the tanks surface - NO CHARGE. ANTI-MILDEW INHIBITOR INCLUDED WITH THE CLEANING SERVICE. 0.00</p>	

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Total	\$2,965.00
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All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an charge over and above the estimate. All agreements contingent upon strikes, accident or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. Payment terms - Net 30 days, 3% of total invoice added after 30 days and compounded thereafter.



CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION

ITEM:

DATE: 4/22/13

Appropriation of \$13,600 from the Sewer Expansion Fund for purchase of replacement UV Lamps for the Ultraviolet Disinfection System at the Wastewater Treatment Plant.

FINANCIAL IMPACT:

Funding in the amount of \$20,000 from the Sewer Surplus Fund was set aside in the 2013 – 2017 Capital Improvement Program, project WWD-13-009.

SYNOPSIS:

The Public Utilities Department is proposing to replace the UV lamps for the plant disinfection system.

BACKGROUND:

The Public Utilities Department utilizes a UV system to disinfect the plant's final effluent as required by the Ohio EPA six (6) months per year during the summertime. The UV system was installed in 2002 in order to meet regulatory limits without the risk of having chlorine onsite and all the precautions necessary for storage of the chlorine. The current lamps have acquired over 10,000 performance hours and exceed the manufacturer's recommendation of 8,000 performance hours. The system is made up of two inline UV vessels (called trains) that are capable of disinfecting 15 million gallons per day. Each system has 16 medium pressure lamps housed inside of a Quartz sleeve. These UV lamps produce light in a waveform that sterilizes the pathogenic organisms.

Quotes were requested from two vendors and are attached. Staff is recommending that the lamps be purchased from UV Doctor, the vendor who supplied the lowest and best quote.

RECOMMENDATION:

It is recommended that City Council authorize funding in the amount of \$13,600 from the Sewer Expansion Fund for purchase of the UV replacement lamps from UV Doctor. Rules suspension is being requested in order to have the lamps installed before required dates set by the Ohio EPA.

LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, explain above.
	yes	no	
Emergency Provision Needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, explain above.
	yes	no	

Prepared by: *David M. ...*

Approved for Content by: *...*

Financial Review (where applicable): *May Horn*

Legal Review (where applicable): *John A. Clemens*

Accepted for Council Agenda: *Jenny Burton*

11(F)(2)A



Your Prescription for a Healthy UV System

sales@uvdoctor.com

March 27, 2013

Quote # CFO3-26-13

City of Fairfield, OH
ATTN: Randy Hassler
5350 Pleasant Ave.
Fairfield, OH 45014

Please view the quote:

Item #	Qty.	Description	Price each	Ext. Price
1	32	UVDRX-1402: Lamp	\$250.00	\$8,000.00
2	6	UVDRX-253060-045: Lamp Spacer	\$15.00	\$90.00
3	40	UVDRX-1268-867: Quartz Sleeve	\$65.00	\$2,600.00
4	70	UVDRX- 0223: O-Ring	\$2.00	\$140.00
5	34	UVDRX-0230: Teflon Backing Ring	\$2.00	\$68.00
6	64	UVDRX-0220: Wiper Ring	\$10.00	\$640.00
7	6	UVDRX-256024: UV Sensor O-Ring	\$1.00	\$6.00
8	30	UVDRX-1001: Ceramic Terminal Block	\$2.00	\$60.00
9	6	UVDRX-258010: O-Ring	\$1.00	\$6.00
10	6	UVDRX-256200: UV Port O-Ring	\$6.00	\$36.00
11	4	UVDRX-211385: Clip	\$1.00	\$4.00
12	3	UVDRX-211384: Ball Bearing	\$25.00	\$75.00
13	1	UVDRX-211382: Bearing Ring	\$1.00	\$1.00
14	1	UVDRX-256304: Seal	\$12.00	\$12.00

15	1	UVDRX-256301: Seal	\$12.00	\$12.00
16	3	UVDRX-256105: O-Ring 20 x 3	\$1.00	\$3.00
17	3	UVDRX-211640: Wiper Spindle Spacer	\$2.00	\$6.00
18	3	UVDRX-256196: Hatch O-Ring	\$15.00	\$45.00
19	1	UVDRX-64024002: UV Sensor	\$1,700.00	\$1,700.00
		Total		\$13,504.00

Delivery: 1-3 weeks ARO.

Payment Terms: Net 30 with approved credit.

Shipping Terms: FOB Amelia, OH.

Quote is valid for 60 days and is subject to the terms and conditions attached.

All of UV Doctors Lamps & Quartz are crafted and made in the U.S.A

Sincerely,

Miranda Schweitzer
UV Doctor Systems LLC



Your Prescription for a Healthy UV System

sales@uvdoctor.com

March 28, 2013

UV DOCTOR MEDIUM-PRESSURE LAMP WARRANTY

Lamp life warranted in the following manner:

UV Doctor warrants this lamp for 6,000 hours of
Performance

0-2,500 Hours of rated lamp life obtains free replacement.
2,500-6,000 Hours of rated lamp life is prorated from purchase
price

Rated lamp life is 70% of original UV energy

Sincerely,

Miranda Schweitzer
UV Doctor Systems LLC



Quote

Order Number: 0011588
 Order Date: 11/5/2012
 Ship Date: 12/31/5999

Salesperson: SS
 Customer ID: 00-FAIRFIE

Sold To:

Fairfield WWTP
 4799 Groh Lane
 Attn: Mike Berio
 Fairfield, OH 45014
 Telephone: (513) 867-5300

Ship To:

FAIRFIELD WWTP
 4799 GROH LANE
 ATTN: RANDY HASSLER
 FAIRFIELD, OH 45014

FAX: (513) 867-5325

Confirm To: Randy Hassler

Customer P.O.	Ship VIA	F.O.B.	Terms
Quote-Randy	UPS GROUND	Origin	NET 30

Item Number	Unit	Ordered	Shipped	Back Ordered	Price	Discount	Amount
2-43-188 B3570H MW UV-C Lamp	EACH	32.00	0.00	0.00	380.00	0.00	12,160.00
0-34-044 TERMINAL BLOCK, CERAMIC	EACH	30.00	0.00	0.00	4.70	0.00	141.00
2-53-060*045 Lamp Spacer for B3570H Lamps	EACH	4.00	0.00	0.00	23.15	0.00	92.60
2-55-328 Quartz Sleeve 867mm F220	EACH	40.00	0.00	0.00	75.00	0.00	3,000.00
2-56-124 O-ring 32*5mm	EACH	70.00	0.00	0.00	5.00	0.00	350.00
2-56-260 TEFLON RING 34*4MM	EACH	34.00	0.00	0.00	5.20	0.00	176.80
2-58-090 WIPER RING W/FLAP	EACH	64.00	0.00	0.00	12.00	0.00	768.00
2-56-024 O-ring 10*4mm	EACH	6.00	0.00	0.00	6.10	0.00	36.60

Continued



Quote

Order Number: 0011588
Order Date: 11/5/2012
Ship Date: 12/31/5999

Sold To:

Fairfield WWTP
4799 Groh Lane
Attn: Mike Berlo
Fairfield, OH 45014
Telephone: (513) 867-5300

FAX: (513) 867-5325

Ship To:

FAIRFIELD WWTP
4799 GROH LANE
ATTN: RANDY HASSLER
FAIRFIELD, OH 45014

Salesperson: SS
Customer ID: 00-FAIRFIE

Confirm To: Randy Hassler

Customer P.O.	Ship VIA	F.O.B.	Terms
Quote-Randy	UPS GROUND	Origin	NET 30

Item Number	Unit	Ordered	Shipped	Back Ordered	Price	Discount	Amount
2-58-010 O-ring 10*2mm	EACH	6.00	0.00	0.00	3.50	0.00	21.00
2-56-200 O-RING, UV MONITOR NW-25	EACH	6.00	0.00	0.00	6.10	0.00	36.60
2-11-385 Circlip 26mm	EACH	4.00	0.00	0.00	10.30	0.00	41.20
2-11-384 Ball Bearing 26*9*8mm	EACH	3.00	0.00	0.00	33.00	0.00	99.00
2-11-382*RING Bearing House Ring	EACH	1.00	0.00	0.00	10.50	0.00	10.50
2-56-304 Pressure Seal 10*25*8	EACH	1.00	0.00	0.00	12.00	0.00	12.00
2-56-301 Pressure seal 10*25*10mm	EACH	3.00	0.00	0.00	10.25	0.00	30.75
2-56-105 O-ring 20*3mm	EACH	3.00	0.00	0.00	1.80	0.00	5.40

Continued



Quote

Order Number: 0011588
 Order Date: 11/5/2012
 Ship Date: 12/31/5999

Salesperson: SS
 Customer ID: 00-FAIRFIE

Sold To:

Fairfield WWTP
 4799 Groh Lane
 Attn: Mike Berlo
 Fairfield, OH 45014
 Telephone: (513) 867-5300

FAX: (513) 867-5325

Ship To:

FAIRFIELD WWTP
 4799 GROH LANE
 ATTN: RANDY HASSLER
 FAIRFIELD, OH 45014

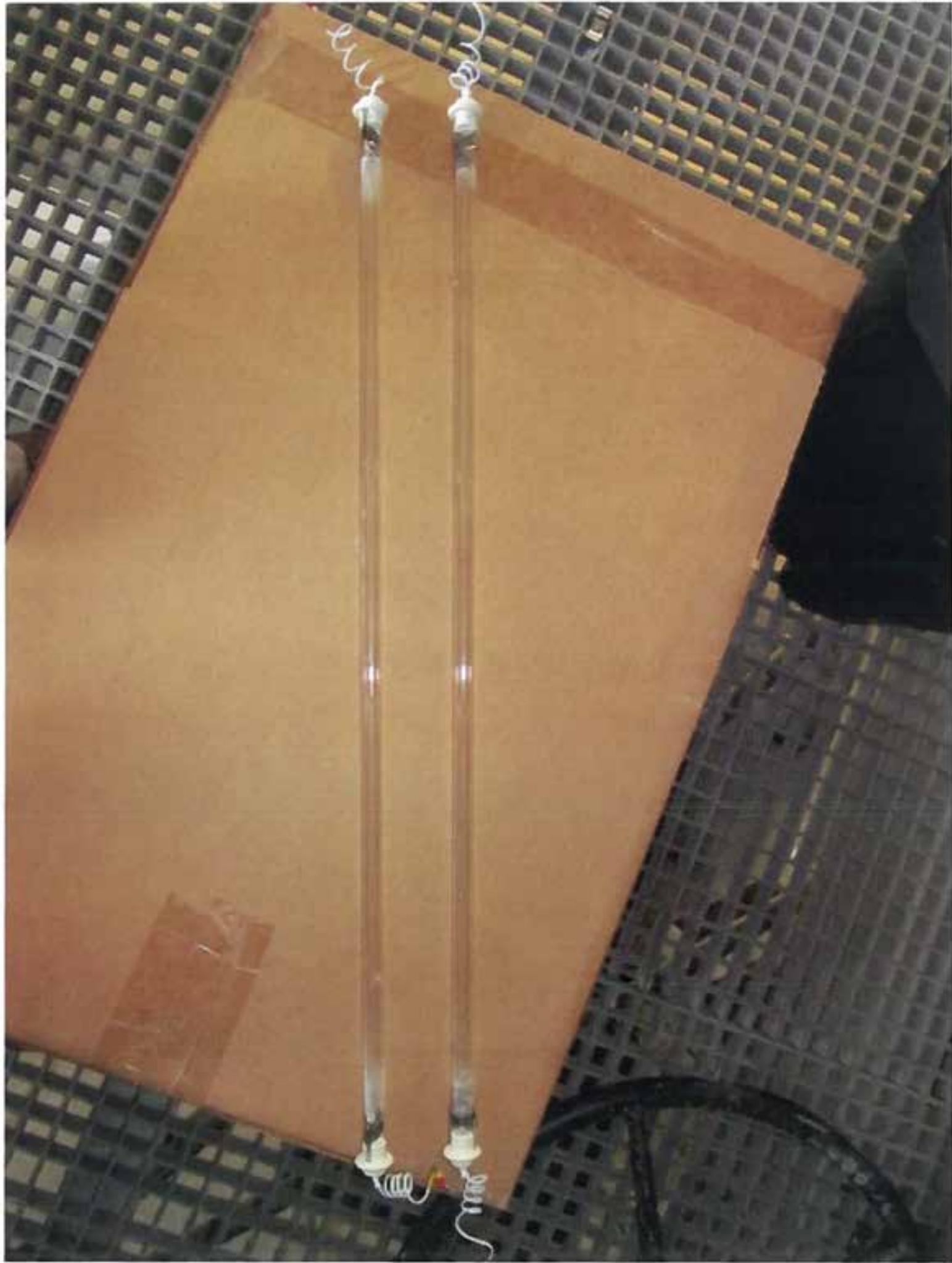
Confirm To: Randy Hassler

Customer P.O.	Ship VIA	F.O.B.	Terms
Quote-Randy	UPS GROUND	Origin	NET 30

Item Number	Unit	Ordered	Shipped	Back Ordered	Price	Discount	Amount
2-11-640 Spacer	EACH	3.00	0.00	0.00	22.00	0.00	66.00
2-56-196 O ring, Hatch 295*5mm	EACH	1.00	0.00	0.00	17.75	0.00	17.75

Net Order: 17,065.20
 Less Discount: 0.00
 Shipping & Handling: 0.00
 Sales Tax: 0.00
Order Total: 17,065.20

For Standard Terms & Conditions of sale, please visit www.aquionics.com.





11(F)(2) A

ROGER SCHWEITZER & SONS, INC.

**2129 FREEMAN AVENUE
CINCINNATI, OH 45214-1820**

513-241-4423 Fax 513-241-4583
rogerschweitzersons@fuse.net

BID PROPOSAL

Rep	Date	Estimate #
GCS	4/8/2013	79757-A
P O #		
Project	Johnston Boiler	
Terms	NET 30 DAYS	
CONTACT	Brad Abner	
Customer Phone	513-858-7760	
Customer Fax	513-858-7762	

**City of Fairfield WasteWater Division
Attention: Brad Abner
4799 Groh Lane
Fairfield, OH 45014**

Description	Qty	Cost	Total
Reference: Boiler Re-Tube - Johnston Boiler 1. Remove and discard complete of tubes. 2. Furnish and install complete set of 2" SA 178 boiler tubes. 3. Apply hydro test upon completion to insure tube tightness. * Boiler to be pressured washed (fire Side) and dry before project starts.		13,750.00	13,750.00T
		0.00%	0.00

Total \$13,750.00

All material is guaranteed to be as specified. All work to be completed in a workman-like manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

-Asbestos removal, if necessary, is the owner's responsibility.

We propose hereby to furnish material and labor-complete in accordance with the above specifications, for the sum above, NOT including surcharges, when applicable

Tax exempt companies must submit proper tax-exempt forms to our Bookkeeper prior to billing

Authorized
Signature:-----

Note: This proposal may withdraw by us, if not accepted within 30 days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature:----- Date of Acceptance:-----

THIS PROPOSAL MAY or MAYNOT INCLUDE DELIVERY/FREIGHT, TRUCK * OR ENERGY SURCHARGES, THEY WILL BE ASSESSED ON THE FINAL BILL (Additional charge for service calls outside the I-275). *Minimum charge \$75.00



The Schweitzer Brothers Co.

1276 U.S. Rt. 50 • Telephone 542-5550 • Fax 542-0417
MILFORD, OHIO 45150

April 8, 2013

CITY OF FAIRFIELD

ATT: BRAD ABNER

RE: RETUBE JOHNSON BOILER

We are pleased to quote you on the following work.

1. Furnish labor and material to remove 154- 2" tubes in the Johnson boiler.
2. Remove the 154 - 2" tubes and clean up the front and rear tube sheet, and wash out the boiler.
3. Install new tubes, the new tubes will be rolled and beaded on the front and rear tube sheet.
4. After all work is completed the boiler will be tested to safty valve pressure.
5. The existing tubes to be removed from the job site by Schweitzer Bros Co.
6. All work to be done on a weekday base.
7. WARRANTY: LABOR AND MATERIAL ON THE TUBE WORK IS 1 YEAR FROM THE TIME THE BOILER RETUBE IS COMPLETED, THERMAL SHOCK AND SCALE ON THE TUBES VOILDS THE WARRANTY.

COST OF PROJECT \$ 20,950.00 (PLUS SALES TAX IF APPLICABLE)

TERMS: FULL PAYMENT DUE IN 30 DAYS UPON COMPLETION OF THE WORK. THERE WILL BE A 1.5% CHARGE PER MONTH FOR PAYMENT OVER 30 DAYS. PRICE SUBJECT TO CHANGE IF ORDER IS NOT RECEIVED IN 30 DAYS.

THANK YOU
THE SCHWEITZER BROS CO

DARYL W CRAIL
PRESIDENT

Daryl W Crail
ACCEPTED BY _____

DATE _____

PURCHASE ORDER # _____

FAX # 513-542-0417

www.rootx.com

The Root Intrusion Solution



Quotation

Friday, April 05, 2013

Attn: Phil Brann
 City of Fairfield, OH
 4799 Groh Ln
 Fairfield, OH 45014
 Fax: (513)858-7762

Re: Request for Quotation, Sole Source Letter

As the patent owner and manufacturer, RootX Root Control Corp. is the sole source for the RootX & Grease-X products.

We welcome the opportunity to provide you with a quote for the following products:

Quantity	Item Description	Unit Price	Extended
50	40 lb Box	\$319	\$15,950
		Shipping:	\$564.09
		Total	\$16,514.09

If you have further questions, or if you would like to place an order, please feel free to call (800)844-4974.

Thank you, again, for your interest in the **RootX** family of products.

Sincerely,

Adam Meisner
 Pipe Flow Specialist

RootX Inc.

PO Box 7626 Salem, OR 97303
 Voice: (800) 844-4974 Fax: (503)485-5229
www.rootx.com

CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION

ITEM:

DATE: 4/22/13

Appropriation of \$2,800 from the Water Surplus Fund for flow testing services for five (5) of the City's water production wells.

FINANCIAL IMPACT:

The project is part of the Public Utilities Department proposed 2013-2017 Capital Improvement Program under Project WAT-13-003 for maintaining the raw water production wells.

SYNOPSIS:

Well maintenance is part of a normal preventive maintenance program to ensure efficient and dependable operation of the raw water production wells.

BACKGROUND:

It is important to flow test wells on a regular basis to determine the condition of the well and pumping equipment. The proposal received from National Water Services includes labor and equipment to perform the pump tests as well as providing a Flow Test Report for each well. This condition assessment will be used to determine priorities for well cleaning this year.

Staff intends to have the work performed by National Water Services who provided a quote of \$2,750 for five (5) wells.

RECOMMENDATION:

It is recommended that City Council appropriate funding in the amount of \$2,800 from the Water Surplus Fund for flow testing services for five (5) of the city's water production wells.

LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, explain above.
	yes	no	
Emergency Provision Needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, explain above.
	yes	no	

Prepared by: [Signature]

Approved for Content by: [Signature]

Financial Review (where applicable): May Hoge

Legal Review (where applicable): [Signature]

Accepted for Council Agenda: Judy Burton

11(F)(2) A



524 NE Third Street • P.O. Box 230
Paoli, Indiana 47454
(812) 723-2108 • FAX (812) 723-5140

April 9, 2013

Quote No. 040913-3

Andy Eddy, Public Utilities Superintendent
City of Fairfield
5021 Groh Lane
Fairfield, OH 45014
Tel: 513-858-8328
Email: eddy@fairfield-city.org

RE: Flow Test Deep Wells

Dear Mr. Eddy;

Pursuant to our discussion and your request, National Water Services, LLC is pleased to submit a proposal for Flow Testing Deep Wells.

Net Cost per Well.....\$550.00 each

National Water Services, LLC is looking forward to providing these water supply services for the City of Fairfield. If you have any questions or would like to discuss this proposal in more detail, please do not hesitate to contact us.

Sincerely,

David Walker
National Water Services, LLC
812-653-1185

CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION

ITEM:

DATE: 4/22/13

Appropriation in the amount of \$40,000 from the Sewer Expansion Fund for engineering services for the Seward No. 1 Lift Station Relocation.

FINANCIAL IMPACT:

Project was included in the 2013-2017 Capital Improvement Program under Project No. WWD-13-015 with a budget of \$300,000. This amount includes engineering services.

SYNOPSIS:

Project includes relocation of Seward No. 1 Pump Station just to the north of the current location.

BACKGROUND:

New growth and the current Koch Foods expansion have caused the need to finalize construction of the new pump station. This new station will support future expansion in the industrial park and has a life expectancy of 50 years. Project would include relocation of the Seward No. 1 Pump Station to an area where an existing wet well resides and will improve operating capacity required for future expansion. Project includes design, bidding services, construction administration services and inspection services. Staff is recommending that these services be performed by GRW Engineers of Lexington Kentucky.

RECOMMENDATION:

It is recommended that City Council appropriate funding in the amount of \$40,000 from the Sewer Expansion Fund for engineering services in connection with design, bidding and construction phase services for the Seward No. 1 Lift Station Relocation.

LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, explain above.
	yes	no	
Emergency Provision Needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, explain above.
	yes	no	

Prepared by: [Signature]

Approved for Content by: [Signature]

Financial Review (where applicable): May Hoop

Legal Review (where applicable): [Signature]

Accepted for Council Agenda: [Signature]



801 Corporate Drive
Lexington, KY 40503
Tel 859 / 223-3999
Fax 859 / 223-8917

Engineering
Architecture
Planning
GIS
Aviation Consultants

GRW Engineers, Inc.

11(F)(2) A

Arlington, TX
Cincinnati, OH
Indianapolis, IN
Knoxville, TN
Louisville, KY
Nashville, TN

April 4, 2013

Mr. Dave Crouch
Public Utilities Director
City of Fairfield, Ohio
5021 Groh Lane
Fairfield, OH 45014

Re: Engineering Services Proposal
Related to the New Seward No. 1
Duplex Submersible Wastewater
Pumping Station
GRW Project No. 4093-03

Dear Mr. Crouch:

We are pleased to furnish this engineering services proposal for design, bidding and construction phase services related to the above referenced project.

As we have discussed previously, this project would involve the installation of two (2) submersible sewage pumps and associated piping in the City of Fairfield's existing ten (10) foot diameter wet well which is located adjacent to the City of Fairfield's existing Seward No. 1 Pumping Station. The project would also involve construction of a new valve vault along with associated valves, fittings and piping. Approximately 200 feet of new 10-inch force main with a new connection to the existing 10-inch force main near the northeast corner of Seward Road and Union Centre Boulevard would also be constructed. Electrical work associated with the new station would include motor starters, level controls, control panel and standby power (generator). Site work would include a paved access road, fencing and crushed stone paving around the station inside the fence.

Our proposed engineering services associated with the project would be as follows:

Design Services	\$19,000
Bidding Services	5,000
Construction Administration Services	6,000
Part Time Inspection Services	10,000*

* Assume 10 visits during construction @ \$1,000/Ea.

Please call me if you have any questions concerning this matter. If this proposal is acceptable to the City of Fairfield, please execute and return one (1) copy.

Respectfully yours,

Bob C. Smallwood, P.E.
Vice President

ACCEPTED BY:

City of Fairfield

ITEM NO. 11(F)(2) A

CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATIONS

ITEM:

DATE: 04/12/13

The appropriation for the purchase of one (1) Z-Spray Intermediate 18 gallon Spray Tank, 220lb hydraulic spreader for use within the Golf Maintenance Division.

FINANCIAL IMPACT:

An appropriation of \$8,900.00 from the 2013-2017 Capital Improvement Program (REC-13-004) will be needed.

SYNOPSIS:

An agreement to purchase (1) Z-Sprayer Intermediate 18 gallon Spray Tank from LT Rich Products, Incorporated. LT Rich Products is the only distributor in the tri state area that sales this type of sprayer.

BACKGROUND:

The Parks and Recreation Board identified in its 2013-2017 Capital Improvement Program the purchase and/or replacement of turf maintenance equipment for use within the Golf Maintenance Division (REC-13-004/ Equipment). The Z-Sprayer that is being purchased is an additional unit that will allow for a newer model to help out with efficiency and will be used primarily on the golf courses. The specifications for this turf maintenance equipment are attached.

RECOMMENDATION:

It is recommended that City Council authorize and direct the preparation of legislation authorizing the appropriation of \$8,900.00 from the 2013-2017 Capital Improvement Program for this purchase.

LEGISLATIVE ACTION:

Suspension of Rules/Adoption Requested: YES (X) NO () If yes, explain above.

Emergency Provision Needed: YES () NO (X) If yes, explain above.

Prepared by: Bob Schappacher
Approved for Content by: Bob Schappacher
Financial Review (where applicable): Jim Wells
Legal Review (where applicable): John A. Clemmens
Accepted for Council Agenda: John Burton

11(F)(2) A

03/13/2013

Sales Order

LT Rich Products, Inc.

LT Rich Products, Inc.
 920 Hendricks Drive
 Lebanon, IN 46052
 Phone: 765-482-2040
 FAX: 765-482-2050
 Email: awalters@z-spray.com/riley@z-spray.com

56654



Bill To:

FAIRFIELD GREENS
 2200 JOHN GRAY RD
 FAIRFIELD, OH 45014

 Phone: 513-673-8871
 Email: pmcqueen@fairfield-city.org

Ship To:

FAIRFIELD GREENS
 2200 JOHN GRAY RD
 FAIRFIELD, OH 45014

Contact: FAIRFIELD GREENS

Customer: FAIRFIELD GREENS

Notes

Lm for Phil on 3/13 about unit being ready on 3/27

Seller	Payment Terms	FOB Point	Carrier	Ship Service	Requested Ship Date
Shane	COD	Origin	Will Call		02/15/2013

Item #	Type	Number / Description	Unit Price	Qty Ordered	Total Price
1	Sale	85120 - 2013 Z-SPRAY INTERMEDIATE 18 gal. spray tank, 220lb hydraulic spreader	\$ 8,995.00	1 ea	\$ 8,995.00
2	Discount	\$400 Discount - State Contract Price Discount	-\$ 400.00	1 ea	-\$ 400.00
3	Sale	WARRANTY - WARRANTY: 1 YEAR FRONT TO REAR ON ALL PARTS. 10 MACHINE HOUR BUY BACK. (SUBJECT TO DAMAGE INSPECTION ON RETURN)	\$ 0.00	1 ea	\$ 0.00
4	Shipping	FREIGHT-LTL - FREIGHT-LTL	\$ 241.27	1 ea	\$ 241.27

SubTotal: \$ 8,836.27
 Sales Tax: \$ 0.00
TOTAL: \$ 8,836.27

Approval: _____ Date: _____

QUOTES EXPIRE 30 DAYS FROM ISSUE DATE!



| [Sprayers](#)

| [Aerators](#)

| [Tradeshows/Videos](#)

| [Calibration](#)

| [Contact](#)



Our Z-Spray Intermediate shares the same large granular capacity of the Z-Max, but with 4 foot gates. With its large 4.0 GPM pump and 4 Hypro ceramic A.I. (air injection) no cover up to 72,000 sq. feet* per fill. With a 3-section foldable boom, spray patterns can be shut off immediately with 5 psi check ball screens. Constant by-pass jet agitation is permissible. A speedometer is standard to assist operators with spray calibration. A long hose to reach small areas.

The Intermediate has a total fertilizer capacity of 300 lbs. This includes the 200 lb tank and each carry a 50 lb. bag adding traction and stability. The hydraulic drive hopper system is independent from ground speed, the system can vary the spread pattern from 3 to 10 ft. from the spread to the spray pattern.

Powered by a 16 hp Vanguard Commercial V-Twin electric start engine with Hydro-Intermediate is capable of 8 mph forward and 4.5 mph in reverse. An adjustable speed bar allows for desired speed. Our patent pending locking caster system assists for greater hill stability.

*with ¼ gallon tips, factory set with 1/3 gallon tips. (Customer has option of tip size)

[Click here to see the full Intermediate dimensions.](#)

Features:

Hydraulic drive hopper system

All stainless steel construction

Speedometer

Adjustable speed bar to hold ground speed

18 Gallon Tank with 4.0 GPM Pump

Foot operated pump switch

3-section boom with independent valves and low drift air induction tips

75' Cox hose reel for spot spraying (100' option available upon request)

Spring mounted suspension Foot plate

Locking Caster System *Patent No. 8,282,112

920 Hendricks Drive Lebanon, Indiana 46052 toll free (877) 482-2

ITEM NO. 11(F)(2) A

**CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATIONS**

ITEM: **DATE:** 04/12/13

The appropriation of funds for signs to be placed at the entrance of William Harbin Park on Hunter Road and also directional signs for inside of the park.

FINANCIAL IMPACT:

An appropriation of \$13,600.00 from the 2013-2017 Capital Improvement Program (PRK-13-005) will be needed.

SYNOPSIS:

An agreement with Signery2 to make and design a new entrance sign for Harbin Park that will match the design and color of all the of our other Park signs throughout the city. As part of this Signery2 will be designing and building new directional signs for inside the park and also new signs for the frisbee golf course and the mountain bike trails.

BACKGROUND:

The Parks and Recreation Board identified in it's 2013-2017 Capital Improvement Program (PRK-13-005) to upgrade our facilities and to provide a new look to them. These upgrades will bring Harbin Park up to the standards with signage that we have in all of our other parks.

RECOMMENDATION:

It is recommended that City Council authorize and direct the preparation of legislation authorizing the appropriation of \$13,600.00 from the 2013-2017 Capital Improvement Program for this project.

LEGISLATIVE ACTION:

Suspension of Rules/Adoption Requested: YES () NO (X) If yes, explain above.

Emergency Provision Needed: YES () NO (X) If yes, explain above.

Prepared by: Bob Schappacher
Approved for Content by: Bob Schappacher
Financial Review (where applicable): Steve Hays
Legal Review (where applicable): John A. Clemmons
Accepted for Council Agenda: Jimmy Burtor



Quote

signery2.com • 513.738.3048

Job #: 130065B

Bill To:

Fairfield Parks
411 Wessel Drive
Fairfield, OH 45014
Bob Schappacher

Deliver to:

Fairfield Parks
411 Wessel Drive
Fairfield, OH 45014
Bob Schappacher

Date: 4/12/2013 Customer # 513.896.8407 Due: ASAP

Item #	Description	Sub
1	Design sign project for Harbin Park includes overall design, photo conversion to vector art for main icon; creation of small icons; art will be the property of Fairfield Parks	745.00
2	Sign A - Sandblasted vertical grain Western Red Cedar sign 6x6 x 96" treated wood post - primed and painted Routed channel per post for sign Sign A - approximately 92"x45", single sided gateway sign complete with posts	3390.00
3	Sign B - Sandblasted vertical grain Western Red Cedar sign 6x6 x 96" treated wood post - primed and painted Routed channel per post for sign Sign B - approximately 92"x45", single sided directional sign complete with posts	2590.00
4	Sign C - Sandblasted vertical grain Western Red Cedar sign 4x4 x 96" treated wood post - primed and painted Routed channel per post for sign Sign C - approximately 40"x40", single sided directional sign complete with posts	1750.00
continued, page 2		
It's a pleasure working with you!		Subtotal
Quote valid for 60 days		
Deposit Required: None		Tax (6.25%)
Quoted by: Imw		

Thank you for your consideration.



Total

Bill To:

Fairfield Parks
 411 Wessel Drive
 Fairfield, OH 45014
 Bob Schappacher

Deliver to:

Fairfield Parks
 411 Wessel Drive
 Fairfield, OH 45014
 Bob Schappacher

Date: 4/12/2013 Customer # 513.896.8407 Due: ASAP

Item #	Description	Sub		
5	Sign D - Sandblasted vertical grain Western Red Cedar sign 4x4 x 96" treated wood post - primed and painted dHPL - Digital High Pressure Laminate signage - Fire Condition signs, each 11.5"x5" Sign D - approximately 16"x16", single sided Fire Condition sign complete with posts, hardware and additional signs	660.00		
7	Sign F - Sandblasted vertical grain Western Red Cedar sign 4x4 x 96" treated wood post - primed and painted dHPL - Digital High Pressure Laminate signage Design allowance for 4 hours to create maps with 'You are Here' images for 7 locations; additional hours \$75.00 per hour Miscellaneous hardware Sign F - approximately 22"x15", single sided 7 - Mountain Bike Trail signs complete with posts, hardware and map signs, price each \$625.00	4375.00		
It's a pleasure working with you!		Quote valid for 60 days	Subtotal	\$13,510.00
Deposit Required: None		Quoted by: Imw	Tax (6.25%)	\$0.00

Thank you for your consideration.

Total \$13,510.00



2571 Millville-Shandon Road
Hamilton, OH 45013

Fairfield Parks & Recreation

130065C - Harbin Park - concept for signage package
all single sided signs
signery2.com
513.738.3048
signery2@gmail.com



Item 2 - Sign A
Gateway Sign

Item 3 - Sign B
Main Directional Sign

Item 4 - Sign C
Directional Sign

Item 5 - Sign D
Campfire Sign

Item 7 - Signs F
Trail Signs

Sign design concept for Harbin Park with theme: spectacular view of Fairfield (art to be developed)
icons for park information and amenities



ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 113-12 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 113-12, the 2013 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated Capital Improvement Fund	\$23,075
To:	40216025-253200 Capital Equipment <i>(Evidence Drying Cabinet for Police Department)</i>	\$9,475
To:	40216025-252000 Improvements Other Than Building <i>(New Signs at Harbin Park)</i>	\$13,600
From:	Unappropriated County Motor Vehicle Fund	\$15,000
To:	20516025-252000 Improvements Other Than Building <i>(Miscellaneous Traffic Signal Upgrades/Spare Parts)</i>	\$15,000
From:	Unappropriated Sewer Expansion Fund	\$13,600
To:	40816025-252000 Improvements Other Than Building <i>(Replacement UV Lamps for Disinfection System)</i>	\$13,600
From:	Unappropriated Recreational Facilities Fund	\$8,900
To:	64052025-253200 Capital Equipment <i>(Z-Spray Intermediated 18 Gallon Spray Tank)</i>	\$8,900
From:	Unappropriated Water Surplus Fund	\$50,200
To:	60516023-234200 Maintenance of Land, Building and Facilities <i>(Pressure Wash of Mack Road and Hunter Road Water Towers)</i>	\$7,400
To:	60516025-252000 Improvements Other Than Building <i>(Flow Testing for Production Wells)</i>	\$2,800

To:	60516023-233300 Engineering Services <i>(Engineering Services for Seward Road No. 1 Lift Station Relocation)</i>	\$40,000
From:	Unappropriated Sewer Surplus Fund	\$13,750
To:	62416025-252000 Improvements Other Than Buildings <i>(Replacement Boiler Tubes for Wastewater Treatment Plant)</i>	\$13,750
From:	Unappropriated Sewer Replacement & Improvement Fund	\$16,600
To:	62316025-252000 Improvements Other Than Buildings <i>(Chemicals for Root Control Program)</i>	\$16,600

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed		
		Mayor's Approval
Posted		
First Reading		Rules Suspended
Second Reading		
Third Reading		

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council

CITY OF FAIRFIELD, OHIO
CITY COUNCIL COMMUNICATION

ITEM NO. 11(F)(3)

April 22, 2013

ITEM

Passage of a resolution opposing the Ohio General Assembly's passage of House Bill 5.

FINANCIAL IMPACT

There is no immediate impact to the City; however, the passage of HB 5 will result in an annual loss of approximately \$400,000 if HB 5 passes as proposed.

SYNOPSIS

There has been a push from the Municipal Income Tax Uniformity Coalition to make legislative changes to make local income taxes in Ohio more uniform. There have been several meetings between the Coalition and members of the Ohio Municipal Leagues and municipal income tax representatives to find uniformity issues to agree on that are revenue neutral to the municipalities.

BACKGROUND

The Coalition and municipalities have met several times over the past year and a half to discuss issues regarding municipal income tax and making some items more uniform. Through those meetings, a list of uniform, revenue neutral issues were compiled. In the fall of 2012, State Representatives Grossman and Henne introduced HB 601. Due to the timing of the legislative session that bill expired. HB 601 was re-introduced as HB 5 in 2013. There are several items in HB 5 that are uniformity issues and are revenue neutral; however, there are many items in this proposed bill will reduced the revenue to cities as well as add complexity to the income tax process for both sides.

STAFF RECOMMENDATION

It is recommended that City Council authorize and direct the preparation of a resolution, and pass the resolution opposing the Ohio General Assembly's passage of HB 5.

LEGISLATIVE ACTIONS: Suspension of Rules & Adoption Requested? Yes
Emergency Provision Needed? Yes

Prepared by: Mary Hagan
Approved for Content by: Mary Hagan
Financial Review (where applicable) by: Mary Hagan
Legal Review (where applicable) by: John Clemens 1/9/13
Accepted by Council Agenda: Janey Burton

RESOLUTION NO. _____

A RESOLUTION OPPOSING THE OHIO GENERAL ASSEMBLY'S
PASSAGE OF HOUSE BILL 5, WHICH WOULD MANDATE MEASURES
RESULTING IN THE SUBSTANTIAL LOSS OF REVENUE TO CITIES
AND DECLARING AN EMERGENCY.

WHEREAS, the group, self-entitled the Municipal Income Tax Uniformity Coalition, aka the "Coalition", has had several meetings with members of the Ohio Municipal League and with municipal income tax representatives, aka "Interested Parties", and

WHEREAS, the stated purposed of the Interested Parties' meetings was to achieve consensus on issues aimed at advancing greater municipal income tax uniformity to facilitate ease of business compliance, and

WHEREAS, municipalities are compelled to insist that any solution on uniformity must be revenue neutral to cities, and

WHEREAS, the "Coalition" has unilaterally drafted, and has had a bill introduced (known as HB5), which goes far beyond the objective of uniformity for businesses and is clearly attempting to usurp municipal tax collection prerogatives, and

WHEREAS, HB 5 adds an additional layer of governmental bureaucracy and complexity, rather than simplicity, to the administration of municipal income tax, inclusive of using County Courts of Common Pleas in lieu of Municipal Courts, commencing oversight by a Municipal Tax Policy Board with municipal representatives appointed by the Governor, and designating a problem resolution officer for municipalities with more than 30,000 in population, and

WHEREAS, HB 5's language is detrimental to the financial stability of municipalities by drastically reducing revenue for municipalities in Ohio, and includes mandates which will cripple the ability of municipalities to provide basic services to residents and businesses alike, as a result of proposals like the 20 day occasional entrant rule, taxability of certain types of tips, business filing thresholds, net operating loss carryovers, etc., and

WHEREAS, the proposals in HB 5 will result in an estimated annual loss of \$400,000 of additional revenue to the City of Fairfield, Ohio, over and above the \$1,500,000 already lost due to several State budget changes over the past two years, and

WHEREAS, an intended consequence of HB 5 is State pre-emption of municipal income tax administrative discretion, which is a potential precursor to mandatory State control of the collection of municipal income tax, and

WHEREAS, centralized State collection would negatively compromise the high quality, personalized service currently enjoyed by the citizens of Fairfield related to the preparation and filing of individual tax returns, dispute settlement and resolution of delinquencies.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairfield, Ohio, that:

Section 1. The City Council does hereby declare its adamant opposition to any effort by the Ohio General Assembly to pass legislation that creates mandates which result in a loss of revenue for cities, under the guise of municipal income tax uniformity, without considering the negative implications of a non-revenue neutral approach.

Section 2. The City Council believes that the legislation proposed does not meet the goals and objectives originally stated by the sponsors of HB 5 to achieve a consensus among the "Interested Parties", but which, rather, caters to special interest groups comprising the "Coalition".

Section 3. The City Council urges the State's legislators to reject HB 5, and any amendment to pending bills, and opposes the passage of legislation that will result in the reduction of municipal income tax revenue to municipalities in Ohio rather than leaving that discretion with cities based upon their individual economic situations and citizen preferences.

Section 4. The Ohio General Assembly should remand the re-drafting of legislation to all of the "Interested Parties" to address the multitude of issues that were agreed upon, as a result of the Interested Parties' meetings to provide uniformity, with emphasis on the following issues:

- Uniform due dates for tax forms and extensions
- Generic tax forms
- Definition of taxable income
- Uniform dollar thresholds for estimated payments
- Refund due
- Balance owed
- Withholding tax remittance

Section 5. The Ohio General Assembly should restore adequate funding levels to the Ohio Business Gateway (OBG), a generic one-stop method of filing and paying local business returns, to alleviate the plethora of programming problems and customer service issues that have resulted in losses to the OBG's effectiveness.

Section 6. This resolution is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the concerns of the City be expressed as soon as possible during the deliberations of the Ohio legislature regarding HB 5; wherefore, this resolution shall take effect immediately upon its passage.

Passed _____

Mayor's Approval

Posted _____

First Reading _____

Rules Suspended _____

Second Reading _____

Emergency _____

Third Reading _____

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council