

Ordinance No. 153-94

Passed June 7, 1994

## AN ORDINANCE BY THE COUNCIL OF THE VILLAGE OF FELICITY ADOPTING A HOUSING CODE

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Felicity that:

### Section 1. EXISTING USES CONTINUED.

Except as otherwise herein provided, nothing in this Code shall require removal, alteration or abandonment of, nor prevent continued occupancy or use of, an existing building unless such building is in violation of orders or conditions of approval existing at the time of the adoption of this ordinance.

### Section 2. MAINTENANCE.

#### A. MAINTENANCE REQUIRED

All buildings and structures, all parts thereof and all building services equipment shall be maintained in a safe, sanitary and non-hazardous manner. All means of egress, devices, safeguards and equipment shall be kept in good working order. The exterior of all premises and the condition of all buildings, structures and components thereof shall be maintained so as to prevent and/or repair deterioration, so that the appearance thereof shall reflect a level of maintenance in conformity with the Felicity Codified Ordinances and so as to insure that the property itself may be preserved safely, and that hazards to public health and safety are avoided.

#### B. HOUSING CODE ADMINISTRATOR

Violation notices shall be issued by the Housing Code Administrator or his or her representative indicating that corrective measures are required to avoid hazards to public health and safety and/or protect adjoining or neighboring properties from safety, fire and structural hazards.

#### C. MAINTENANCE STANDARDS

##### 1. Maintenance of Structure.

Each owner and/or occupant shall keep all exterior components of every structure in good repair, including but not limited to walls, roofs, chimney, cornices, gutters, downspouts, drains, porches, steps, landings, fire escapes, exterior stairs, windows, shutters, doors, storefronts, signs, marquees, and awnings.

(a). All surfaces shall be covered with a protective coating, including paints, shingles, plastic/aluminum/asbestos or vinyl siding or other material which preserves the structure and does not contribute to deterioration.

(b). All surfaces shall be maintained free of deterioration, including but not limited to, broken glass, loose or missing shingles or siding, crumbling brick, stone, and mortar, and peeling, scaling or deteriorated paint.

(c). Overhanging structures, including canopies, marquees, signs, awning, exterior stairways, fire escapes, and other structures with overhanging extensions shall be maintained in good repair, be securely anchored to the structure, and protected from rust and other signs of decay by application of a weather protective material such as paint. Non-operative or broken electrical signs shall be repaired or removed. All obsolete signs and sign structures shall be removed.

(d). Except for display merchandise in nonresidential buildings, no storage of materials, goods, stock or inventory shall be permitted in building opening ordinarily exposed to public view unless such areas are screened from public view. All such screening shall be of clean material and will be maintained in a good state of repair.



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## 2. Maintenance of Accessory Structures

Each accessory structure shall be subject to the maintenance Standards set forth in Section 2, C, 1. Further, each structure shall;

(a) Provide weatherproof usable space and shall not harbor rodents, termites or other vermin.

(b) All business, servicing or processing, except for off-street loading shall be conducted within completely, enclosed buildings.

(c) In nonresidential districts, storage shall be within enclosed buildings.

(d) In residential zones all outdoor storage for a continuance period exceeding fifteen (15) days shall be within enclosed buildings. However, the storage of functional items such as children's play structures, firewood, and operable vehicles and bicycles shall be exempt from this provision.

(e) Inoperable and unlicensed vehicles (including vehicles that have not been moved for 7 days) must be stored within an enclosed building).

## 3. Maintenance of Premises and Landscape Elements

(a) All premises and landscape elements shall be maintained in a safe and sanitary condition, including but not limited to steps, walks, driveways, fences, retaining walls, trees, shrubs, grass and weeds. If any such area or object constitutes a danger to health or safety, it shall be repaired, replaced or removed.

(b) All paved driveways and walks which exist within the public right-of way shall be maintained in safe condition.

(c) All fences, retaining walls or similar structures shall be firmly anchored in the ground and maintained in good structural repair. Wooden elements or other elements subject to deterioration from weathering shall be maintained with chemicals or paint to preserve the element and to retard deterioration.

(d) Weeds and grass shall be kept trimmed and from becoming overgrown in accord with the provisions of the Felicity Codified Ordinances.

(e) Trees and shrubs which have branches projecting into the public right-of-way, including public sidewalks, public places or public highway, shall be kept trimmed in accordance with the provision of the Felicity Codified Ordinances.

(f) Trees and shrubs afflicted with a form of decay or vegetation sickness which can be transmitted to other trees or shrubs shall be removed or shall be treated or sprayed so as to eliminate the risk of such decay or vegetation sickness being transmitted to other trees. Dead trees in proximity to rights-of-ways, buildings, structures, or congregations of people which may endanger such objects shall be removed.

(g) All yards, courts or lots shall be kept free of accumulations of trash, garbage waste, rubbish, refuse, substances which may cause a fire hazard or may act as a breeding place for vermin or insects. Storage of miscellaneous items must be within enclosed structures.

(h) All portions of all premises shall be graded so that there is no pooling of water or recurrent entrance of water into any basement or cellar. All cooling water shall be discharged into the storm sewer system with approval of the Public Works Department.

(i) All residences within the Village shall be connected to the Village Water and the Clermont County Sewer System. Any water system that has been inspected and approved by the Clermont County Health Department in the last two (2) years shall be exempt from this provision.

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## D. MAINTENANCE AFTER CASUALTY DAMAGE

Within a period of thirty days after casualty damage to any premises the owner and/or operator shall have taken the following steps;

(1) Contracted for the repair and restoration of damage areas and removal of debris; and/or

(2) Contracted for the demolition and removal of any part of the premises not to be repaired and restored and for the removal of debris in connection therewith.

## Section 3. PENALTY

Any person who shall violate any provision of the Code or fail to comply with any of its requirements, or who shall erect, construct, alter, or repair, or do any work upon or in connection with, any buildings or structures in violation of a plan therefore or directive relating thereto approved or made by the Housing Code Administrator and his or her representative, or of a permit or certificate issued under this Code, shall be punishable by a fine of not more than \$250.00 or by imprisonment for not more than thirty days, or by both such fine and imprisonment for each provision of law thus violated. Each day that any such violation or failure continues shall be deemed a separate offense.

## Section 4. INCONSISTENT ORDINANCES REPEALED

That ordinances 74-91, 81-91 and 101-92 are hereby repealed.

## Section 5. EMERGENCY CLAUSE

This ordinance is deemed an emergency for the preservation of the health, safety and welfare of the citizens of the Village of Felicity and shall take effect immediately upon its passage.

John T. Boots  
Mayor

Passed: June 7, 1994

Deborah Shaper  
Clerk

I certify that a copy of this ordinance was posted in five public places within the Village of Felicity on the 8th day of June, 19 94 for at least fifteen (15) days.

Deborah Shaper  
Clerk