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**CHAPTER 1311**  
**Permits**

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CROSS REFERENCES  
Permit fees - see BLDG. Ch. 1313

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**1311.01 PERMIT REQUIRED.**

(a) No person shall construct, alter, re-roof, remove or demolish, or commence the construction, alteration, removal or demolition of a building or structure or install

equipment for the operation of a building or structure, construct a swimming pool or do electrical or heating, ventilating or air conditioning work without first filing with the Chief Building Official an application in writing and obtaining a formal permit.  
(Ord. 96-386. Passed 11-26-96.)

(b) No person shall remove or demolish or commence the removal or demolition of a one-, two-, or three-family residential structure or accessory structure without first filing with the Code Enforcement Manager an application in writing and obtaining a formal demolition permit.  
(Ord. 93-222. Passed 6-29-93.)

#### **1311.02 COMPLETION OF WORK ALREADY AUTHORIZED.**

Nothing in this Building Code shall require changes in the plans, construction or designated use of a building or structure or portion thereof for which a lawful permit has been heretofore issued or which has been otherwise lawfully authorized, and the construction of which has been actually begun within ninety (90) days after this Building Code becomes effective, and if the entire building or structure shall be completed, as authorized, within one (1) year thereafter.

#### **1311.03 APPLICATION FORM.**

An application for a plan approval shall be submitted in such form as the Chief Building Official may prescribe. Such application shall contain the full names and addresses of the applicant and of the owner, and, if the owner is a corporate body, of its responsible officer. The application shall also describe briefly the proposed work and shall give such additional information as may be required by the Chief Building Official for an intelligent understanding of the work proposed.  
(Ord. 10-97. Passed 3-16-10.)

#### **1311.04 PERSONS ELIGIBLE TO MAKE APPLICATION.**

Applications shall be made by the owner, lessee or agent of either, or the architect, engineer or builder employed in connection with the proposed work. If such application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner in fee or the person making the application that the proposed work is authorized by the owner in fee and that the person making the application is authorized to make such application. Notwithstanding the foregoing, no person listed as a non-compliant person ineligible to receive building permits by the Clark County Department of Building Regulations shall be eligible to apply for or receive a building permit issued by the City in such person's capacity as an agent, architect, engineer, or builder. (Ord. 04-133. Passed 4-20-04.)

#### **1311.05 AMENDMENTS TO APPLICATION.**

Nothing in this Building Code shall prohibit the filing of amendments to an application or to a plan or other record accompanying same, at any time before the completion of the work for which the permit was issued. Such amendments shall be filed with and shall be deemed a part of the original application, if approved before the certificate of occupancy has been issued. Otherwise, a new application for such alteration shall be made and a new permit shall be secured.

#### **1311.06 PLANS TO ACCOMPANY APPLICATION.**

Applications for plan approval shall be accompanied by drawings of the proposed work, drawn to scale, showing when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams, and such other information as the Chief Building Official may require.  
(Ord. 10-97. Passed 3-16-10.)

### **1311.07 PLOT PLAN.**

When required by the Chief Building Official, a plot plan shall be submitted in a form and size designated by him for filing permanently with the plan approval, drawn to scale, with all dimensions figured, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot and other buildings or structures on adjoining property within fifteen (15) feet of the property lines. The plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

(Ord. 10-97. Passed 3-16-10.)

### **1311.08 ACTION ON APPLICATION.**

(a) The Chief Building Official shall examine, or cause to be examined, applications for plan approval, within a reasonable time after filing. If, after examination, he finds no objections to the same and it appears that the proposed construction or work will be safe, he shall approve such application and issue a permit for the proposed work as soon as practicable. If examination reveals otherwise, he shall reject such application, note his findings in a written report to be attached to the application and deliver a copy to the applicant.

(b) The Code Enforcement Manager shall examine, or cause to be examined, applications for demolition permits for one-, two-, or three-family structures or accessory structures within a reasonable time after filing. If, after examination, he finds no objections to the same and it appears that the proposed demolition or work will be safe, he shall approve such application and issue a permit for the proposed work as soon as practicable. If examination reveals otherwise, he shall reject such application, note his findings in a written report to be attached to the application and deliver a copy to the applicant.

(Ord. 10-97. Passed 3-16-10.)

### **1311.09 REVOCATION OF PERMIT.**

(a) The Chief Building Official may revoke a permit or approval issued 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.

(b) The Code Enforcement Manager may revoke a demolition permit or approval for a one-, two-, or three-family structure or accessory structure 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. 93-222. Passed 6-29-93.)

### **1311.10 APPROVAL OF PERMIT IN PART.**

Nothing in this Building Code shall be construed to prevent the Chief Building Official from issuing a permit for the construction of part of a building or structure before the entire plans and detailed statements of such building or structure have been submitted or approved, provided adequate information and detailed statements have been submitted for the same and have been found to comply with this Building Code.

### **1311.11 COMPLIANCE WITH PERMIT.**

All work performed under a permit issued by the Chief Building Official or the Code Enforcement Manager shall conform to the approved application and plans, and approved amendments thereto. The permit holder is responsible for scheduling all applicable inspections to identify compliance with code requirements. No work for which a permit has been issued shall be concealed without prior inspection and/or approval by the appropriate inspector. The location of all new construction as shown on the approved plot plan or an approved amendment thereto, shall be strictly adhered to.

(Ord. 03-384. Passed 11-25-03.)

#### **1311.12 REDUCING OR DIMINISHING LOT AREA.**

No person shall reduce or diminish the area of a lot or plot for which a plot plan has been filed and has been used as the basis for a plan approval, unless a revised plot plan showing the proposed changes in conditions has been filed and approved; provided that this shall not apply when the lot is reduced by reason of a street opening or widening or other public improvement. (Ord. 10-97. Passed 3-16-10.)

#### **1311.13 SIGNATURE TO PERMIT.**

Every permit issued by the Chief Building Official or the Code Enforcement Manager under the provisions of this Building Code shall have the signature of the Chief Building Official or the Code Enforcement Manager affixed thereto; but this shall not prevent the Chief Building Official or the Code Enforcement Manager from authorizing a subordinate to affix the Chief Building Official or the Code Enforcement Manager's signature. (Ord. 93-222. Passed 6-29-93.)

#### **1311.14 PLANS APPROVAL AND PERMIT EXPIRATION; EXTENSION; WORK DELAY.**

The approval of plans or drawings and specifications or data pursuant to this chapter shall terminate and become void if construction, erection, alteration or other work upon the building has not commenced within twelve months of the approval of such plans, drawings, specifications and data. A permit must be obtained prior to commencement of work.

A permit expires on the last day of the twelfth month following the date of issuance of the permit. All construction, erection, alteration and other work authorized by a permit must be completed, a final inspection conducted, and all work approved prior to expiration of the permit. Two extensions of a permit shall be granted for six months each, if requested by the owner or permit holder at least ten days in advance of the expiration date of the permit and upon payment of a fee for each extension of one hundred dollars (\$100.00).

Exceptions are:

- (a) Residential heating and air conditioning permits will expire 90 days following the date of issuance. One extension of a permit can be granted for 90 days if requested by the owner or permit holder at least ten days in advance of the expiration date of the permit and approved by the chief building official and upon payment of a fee for the extension of one hundred dollars (\$100.00)
- (b) Residential electrical permits will expire 90 days following the date of issuance. One extension of a permit can be granted for 90 days if requested by the owner or permit holder at least ten days in advance of the expiration date of the permit and approved by the chief building official and upon payment of a fee for the extension of one hundred dollars (\$100.00)

(Ord. 03-384. Passed 11-25-03.)

#### **1311.15 POSTING OF PERMIT.**

A copy of the permit shall be kept on the premises for public inspection during the prosecution of the work and until the completion of the same. A certified copy of the approved plans shall also be kept on the premises at all times from the commencement of the work to the completion thereof.

#### **1311.16 COMMENCEMENT NOTICE TO BE GIVEN.**

The Chief Building Official or the Code Enforcement Manager shall be given at least twenty-four (24) hours notice of the starting of work under a permit.

(Ord. 93-222. Passed 6-29-93.)

**1311.17 DEMOLITION REQUIREMENTS.**

(a) Permits shall be obtained when any portion of a structure is removed, except for porches whose removal will have no effect on the structural integrity of the main structure. Notwithstanding any provision in Section 1311.14, a demolition permit shall become invalid ninety (90) days after its issuance, and special permits issued pursuant to Section 1323.08(a) which become invalid upon the expiration of the time stated on such special permit. However, upon presentation of substantial reasons for incompleteness, the Chief Building Official or the Code Enforcement Manager may give extensions.

(b) Permits for the demolition of commercial or residential buildings do not relieve the owner or contractor of the requirement to submit a "Notification of Demolition and Renovation" to the Regional Air Pollution Control Agency (RAPCA).  
(Ord. 97-412. Passed 11-25-97.)

(c) Utility companies and the City shall be notified for shut-off of services.

(d) Barricades shall be erected around the demolition site when required by the Chief Building Official or the Code Enforcement Manager.

(e) A traffic plan shall be submitted prior to demolition for approval by the Engineering, Police and Fire Divisions.

(f) All sewer lines shall be capped by a method approved by the Service Director. Installed caps shall be approved by a City inspector before backfill is started.  
(Ord. 15-104. Passed 4-14-15.)

(g) All necessary precautions shall be taken to comply with the following:

- (1) No person may cause or permit the handling, transporting, or storage of any material in a manner which allows or may allow particulate matter to become airborne in such quantities and concentrations that it remains visible in the ambient air beyond the premises where it originates.
- (2) No person shall cause or permit a building or its appurtenances or a road, or a driveway, or an open area to be constructed, used, repaired or demolished without applying all such reasonable measures as may be required to prevent particulate matter from becoming airborne.
- (3) The City Engineer may require such reasonable measures as may be necessary to prevent particulate matter from becoming airborne including but not limited to paving or frequent cleaning of roads, driveways and parking lots; application of dust-free surfaces; application of water; and the planting and maintenance of vegetative ground cover.
- (4) When dust, fumes, gases, mist, odorous matter, vapors or any combination thereof escape from a building or equipment in such manner and amount as to cause a nuisance or to violate any provision of this section, the Chief Building Official or the Code Enforcement Manager may order that the building or equipment be tightly closed and ventilated in such a way that all air and gases and air or gas-borne material leaving the building or equipment are treated by removal or destruction of air contaminants before discharge to the open air.

(h) Approval shall be obtained from the Police and Fire Divisions and Community Development Department prior to the use of explosives.  
(Ord. 94-368. Passed 10-11-94.)

(i) All buildings, structures and parts thereof, including foundation walls, columns, piers, partitions and retaining walls shall be removed to a level at least twenty-four (24) inches below finish grade unless otherwise approved by the Chief Building Official or the Code Enforcement Manager.

(j) Garage foundations and concrete slabs found in good condition may remain if approved by the Chief Building Official or the Code Enforcement Manager provided all anchor bolts and protrusions above grade level are removed.

(k) Basement floors and in ground concrete slabs shall be broken-up. All Ohio Basic Building Code demolition regulations shall be applied where warranted.

(l) Inspection of the excavation shall be made by a City inspector prior to backfill.

(m) All demolition debris shall be quickly removed from the site. All lumber or materials kept for re-use shall be neatly stacked twelve (12) inches aboveground.

(n) On site burning of materials shall not be permitted.

(o) All excavations and depressions shall be filled with inorganic material not exceeding sixteen (16) inches by sixteen (16) inches by sixteen (16) inches in size. Backfill material and method of placement shall be approved and inspected by the City Engineer and Chief Building Official and/or the Code Enforcement Manager. (See Chapter 923 of the Codified Ordinances.)

(p) The Chief Building Official or the Code Enforcement Manager and City Engineer shall approve the final grading plan. Finished grade shall consist of a four (4) inch surface layer of soil, seeded and mulched to reduce the germination and propagation of weeds or noxious vegetation, and to prevent fugitive dust conditions and soil erosion, unless otherwise approved by the Chief Building Official.

(q) All applicable State and City laws and ordinances shall be complied with in order to protect property and public health and safety.  
(Ord. 93-222. Passed 6-29-93.)

#### **1311.18 STOP WORK ORDER.**

(a) Whenever, in the opinion of the Chief Building Official, by reason of directive or illegal work in violation of a provision or requirement of this Building Code, or the continuance of a building operation is contrary to public safety and welfare, he shall order, in writing, all further work to be stopped and may require suspension of all work until the condition in violation has been corrected.

(b) Whenever, in the opinion of the Code Enforcement Manager, by reason of directive or illegal work in violation of a provision or requirement of this Building Code, or the continuance of a building operation is contrary to public safety and welfare, he shall order, in writing, all further work to be stopped and may require suspension of all work until the condition in violation has been corrected, as it pertains to the removal or demolition of a one-, two-, or three-family structure or an accessory structure.  
(Ord. 93-222. Passed 6-29-93.)

#### **1311.19 CERTIFICATE OF USE AND OCCUPANCY.**

No building or structure shall be occupied for which a building permit was required without first obtaining a certificate of use and occupancy signed by the Chief Building Official.

**1311.20 REPEALED BY ORDINANCE NO. 10-97; MARCH 16, 2010.**

**1311.21 ENDORSEMENTS ON CERTIFICATES OF USE AND OCCUPANCY**

(a) The Chief Building Official shall provide each certificate of use and occupancy approved by the Chief Building Official to the City's Planning and Zoning Administrator and to the City Engineer prior to delivering the certificate of use and occupancy to the owner of the building or structure to which the certificate of use and occupancy pertains.

(b) Approval required to occupy. No building or structure in whole or in part shall be used or occupied until the Planning and Zoning Administrator and the City Engineer have each endorsed their approval on that back of the certificate of use and occupancy, certifying that the use of the building or structure and the premises upon which the building or structure is situated is in compliance with Parts Nine, Eleven, and Twelve of the City's Codified Ordinances. The building owner shall only use the structure in compliance with the certificate of use and occupancy and any stated conditions therein. The structure and all approved building service equipment shall be maintained in accordance with the approval.  
(Ord. 08-353. Passed 12-9-08.)

**1311.99 PENALTY.**

Whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree, and shall be fined not less than one thousand dollars (\$1,000) or imprisoned not more than six (6) months, or both.