

**BUILDING & BUILDING CODES COMMITTEE MINUTES**  
**February 18, 2008**

The Building & Building Codes Committee meeting was held on February 18, 2008, at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order at **7:30 p.m.**

**PRESENT:** Committee Members: Chair Don Willey, Kurt McKee, Larry Antoskiewicz; Council: Vince Gentile, John Nickell, Dan Kasaris; Administration: Mayor Bob Stefanik, Building Commissioner Rito Alvarez; Other Attendees: Nick Cinquepalmi, Patrick Jones, Joanne DuMound, Don Harris.

**APPROVAL OF MINUTES**

Moved by Mr. Antoskiewicz, seconded by Mr. McKee to **approve the January 21, 2008, minutes.**  
Yeas: 3. Nays: 0. **Motion carried.**

**UNFINISHED BUSINESS**

**1. Chapter 1282 Off-Street Parking and Loading**

Mr. Alvarez said that he updated what was done in May of 2007 and copied the committee.

Mr. Willey said that in light of some of the questions that have come up in the industrial area, he asked Mr. Alvarez if he sees any need to adjust the ordinances regarding this area. He said that he heard that we recently lost a business because they were out of parking spaces. Mr. Alvarez said that he has not done any research on this. He suggests that we meet with the new members of the Law Department and review this legislation with them in order to familiarize them with this section of the code. Mr. Willey said that we can discuss this further at the next meeting and if it is in a form that is acceptable to us, we can then refer it to the Planning Commission for review.

**2. Abandoned houses**

General discussion occurred on matters regarding mortgage foreclosures, how to identify abandoned houses and concerns of the exterior appearance of these dwellings.

**3. Section 1286.06 Extension Prohibited regarding nonconforming use**

Awaiting a response from the Law Director on this.

**4. 08-17 Rezoning property on West 130<sup>th</sup> Street from Research Office to Residential**

No action.

**5. Point of sale home inspection**

Mr. Willey said that there are pros and cons to point of sale inspections. It allows the city to check the exterior as well as the interior and it allows us to see that the utilities are in compliance, that there is no structural damage, etc. He felt it was something we should consider because portions of our city are getting older. Mr. Gentile suggested that we consider requiring the inspections be only for homes of a certain age; i.e. exempt any home 20 years old or less. Mr. Alvarez explained that when a home is built, it is done so based on the building code in effect at the time and we cannot make them conform to the newer codes unless there is a hazard. Mr. Nickell felt that the inspections should be performed on all homes. He said that this is our one chance to determine that no hazards are present, especially in light of all of the foreclosures that are occurring. Mr. Kasaris agreed with Mr. Gentile's suggestion of exempting homes of a certain age. Mr. Antoskiewicz said that we are unique to other cities because we have a lot of septic systems and a point of sale inspection may force the homeowner to replace the system or tie into the sanitary sewer system. Mr. Gentile said we do not have the jurisdiction to inspect the septic systems; this is the responsibility of the Board of Health. We could however require a copy of the inspection certificate from the Board of Health. Mr. McKee suggested looking at what other cities have in their codes regarding this.

Mr. Alvarez said he is leery of these types of inspections because you are not talking about a standard like the residential building code; your talking about maintenance code standards.

It was suggested that we require the home buyer to have a private inspection before purchasing a home and provide the certificate to the city. Mr. Willey said that with a private inspection, the home buyer may decide that they can accept some of the problems with the home and therefore this would not cause any corrections to be made. With the city doing the point of sale inspection, we can make sure that they are in compliance and that all hazards are corrected.

Mr. Alvarez said that we must first determine a standard of compliance and decide what it is we are going to inspect, what is a serious hazard, etc.

Mr. McKee asked what happens to the elderly resident who wants to sell, but the city tells them they have \$30,000 in upgrades to make first. How are they supposed to afford this. Mr. Nickell said that this can be negotiated with the sale of the home. Mr. McKee asked at what time in the process does the inspection take place; at the point of listing or at the point of actual sale. How can you negotiate the cost of these repairs in the sale of the home if the inspection isn't made until the sale is made. Mr. Willey said that it should occur when it is put on the market and then the price of the repairs can be negotiated with the buyer. Mr. McKee said most people already factor in the cost of any known needed repairs when determining their sale price in the first place.

Various scenarios regarding when and how these inspections could be handled were explored, including discussion on how long the inspection should be good for (90 days, 120 days?), extension periods if a home does not sell quickly, how much to charge, how much additional personnel is needed to handle the work, etc.

Mr. Willey said that he will get copies of codes from other communities for review and discussion at the next meeting.

#### **NEW BUSINESS - NONE**

#### **ADJOURNMENT**

Moved by Mr. Antoskiewicz, seconded by Mr. McKee to adjourn the meeting. Yeas: 3. Nays: 0. **Motion carried.**

Meeting adjourned at 8:33 p.m.