

**BUILDING & BUILDING CODES COMMITTEE MINUTES
NOVEMBER 15, 2010**

The Building & Building Codes Committee meeting was held on November 15, 2010, at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order at 6:00 p.m.

PRESENT: Committee Members: Chair Paul Marnecheck, Vice Chair Don Willey, John Nickell; Council: Dan Kasaris, Larry Antoskiewicz; Administration: First Assistant Prosecutor Donna Vozar, Building Commissioner Rito Alvarez, Community Development Director Tom Jordan; Other: Nick Cinquepalmi, Don Harris.

APPROVAL OF MINUTES

Moved by Mr. Willey, seconded by Mr. Nickell **to approve the minutes from the October 18, 2010 meeting.** Yeas: 3. Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. Curbside Neighborhood Inspection Report

Mr. Alvarez provided an updated report to the committee. He said of the 124 complaints, 77 of them are in compliance.

Mr. Antoskiewicz asked if owner complied and file closed mean the same thing. Mr. Alvarez said he is not familiar with every case and is not sure if these two actions are one in the same. He will look into this.

Mr. Marnecheck said we will leave this item on the agenda for the next meeting. Mr. Alvarez will provide definitions of owner complied and file closed to determine if they mean the same thing. This will then be removed from the agenda.

2. Private grass cutting on abandoned lots

Ms. Vozar said she will have draft legislation for the committee to look at by the beginning of the year.

Mrs. Fegan asked if department heads have been notified that they should place money for private contractors in their budgets for next year. She said coming up with the money after the fact will be difficult. Ms. Vozar she does not have any estimates from contractors yet. Mrs. Fegan said she does not want to be faced with the problem in the spring where we are trying to figure out where we are going to come up with the money for this service. Mayor Stefanik said he would like to see what kind of estimates we get from contractors to do this service. Mr. Nickell said we do not get the money we charge for this service right away and said either way this is costing the city money. He said if we contract this service out we will be freeing up the time of the Recreation Department workers to do other things.

Mr. Kasaris asked Mrs. Fegan if we have a report of how much money we have collected for grass cutting on these properties. Mrs. Fegan said we have collected approximately \$10,000-13,000 this year.

Ms. Vozar said she and Mr. Alvarez will begin working on this in January and get the draft legislation to the committee at that time.

3. Rental Property Inspection

Mr. Marnecheck said this will be discussed in January.

Ms. Vozar said she is working on putting together information that can be placed on the website regarding landlord/tenant issues. She said Mr. Alvarez is also looking into what other cities are doing in regards to this issue. She said this information will be presented to the committee in January.

4. **Tree/Vegetation Trimming**

Mr. Marnecheck said he and Mr. Willey went to a home in Ward 4 to address an issue a resident was having with a tree limb that was hanging over from her neighbor's property onto her property which was making it difficult for her to cut her lawn. Ms. Vozar said she believes Mr. Alvarez has the authority to make a determination on what has to be done based on our current code. She said if the current code does not address some of these issues we can always go back and tweak the code if necessary.

Ms. Vozar said she has noticed a lot of trees hanging over onto sidewalks. She said possibly we can place something on the website in the spring reminding residents that it is their responsibility to trim these trees.

Mr. Nickell suggested sending letters to residents to remind them that they need to trim their trees that are hanging over sidewalks or onto their neighbor's property. Mr. Marnecheck suggested possibly including something in the weekly city newsletter. Mayor Stefanik said possibly one of the reporters will write an article for the newspaper as well.

NEW BUSINESS

1. **Rental property information/requirements**

Ms. Vozar said the last time this was discussed the committee addressed elevator inspections in apartment buildings. Mr. Alvarez said he spoke to the Assistant Building Official in Strongsville and was told they do not perform elevator inspections.

Mr. Marnecheck asked Mr. Alvarez if there is anything in our code that requires rental property inspections. Mr. Alvarez said the way the Ohio law reads is that once a building has been inspected by a building department, they do not go back unless there is repair work or remodeling to that building. Mr. Marnecheck said his fear is that we are going to have rental properties in the city that will decay because they have not been inspected.

Ms. Vozar said the code states that all rental properties have to provide a list of names of tenants. Mrs. Fegan said she believes that is only if they have a management company. Mr. Kasaris referred to the code and said technically it is all rental properties.

Ms. Vozar said one of the items that we can do to help with tenant concerns is to put something together to alert them of tenant/landlord rights.

2. **Amending 1276.03 (a) (1) to include veterinary offices and animal hospitals**

Ms. Vozar said one of the items we have to be clear on when drafting this legislation is that we do not want to permit kennels. Mr. Jordan said there is a particular veterinary clinic in North Royalton that is looking to expand. He said he does not believe this will be an issue with this particular veterinary office but by changing this code it will guarantee that kennels are treated differently than veterinary clinics/offices.

Mr. Nickell asked if the veterinary clinic that is looking to expand is also looking to have a kennel. Mr. Jordan said they currently have a kennel operation on site. He said the main purpose for expansion is for a veterinary office. Ms. Vozar said the plans indicate that there is also a kennel expansion. She said that is why she feels the language needs to be clarified so they are aware that even though they may be grandfathered with their current kennels, they cannot expand the kennel without a variance. Ms. Vozar said we need to get additional information as far as how much time animals spend at the clinic after a procedure.

Mr. Willey asked Mr. Jordan when the hospital is planning the expansion. Mr. Jordan said the construction will not start until 2011, but the option to purchase the additional property to accommodate this expansion may expire if they do not get city approval soon.

Mayor Stefanik said the concept is that we want to allow veterinary hospitals in the General Business Districts. He said as far as this particular veterinarian office's expansion of the current kennel area is concerned, the owner will have to go to BZA for that.

Moved by Mr. Willey, seconded by Mr. Nickell to **recommend to Council to approve the inclusion of veterinary offices and animal hospitals in Ordinance 1276.03 (a) (1).** Yeas: 3. Nays: 0. **Motion carried.**

3. Ordinance 10-131

Mr. Jordan said currently our code states that public hearings must be held before the Planning Commission for location of utilities. He said he would like to remove from the current code public utilities that are within the right of way. He said he believes this would be more consistent with state law. He said if a public utility leaves the right of way they would have to go before the Planning Commission. He said a public utility would still have to submit a permit which would be reviewed by the Building Department and the Engineering Department for the approval. He said there is still an administrative review of what they are doing in the right of way it is just that public notice requirements and public hearing requirements for the Planning Commission would be removed.

Mr. Antoskiewicz asked if the Ohio State Code specifies that public utility companies have to repair the right of way. Mr. Jordan said he will confirm this but said most cities do have this requirement.

Mr. Willey asked if residents in the area would be notified if utility companies are doing work in the public right of way. Mr. Jordan said he is not sure of the notification requirement. Mr. Willey said if residents are notified of work being done it will decrease the number of resident calls to the Engineering Department. Mayor Stefanik said we can notify residents. Ms. Vozar said we can notify residents via a form letter.

Mr. Jordan suggested adding another section to this ordinance clarifying what the requirements are for public hearings for minor plats in subdivisions.

This item will remain on the agenda.

4. Adding verbiage to Rural Residential District Section 1273.01(d)

Mr. Alvarez said there has always been some debate as far as how big is too big for an accessory building on residential property and should this be regulated. Mr. Alvarez suggested adding language to Ordinance 1273.01 stating "single lots" which he believes will make this ordinance a little clearer. Ms. Vozar said she feels this was just an omission. She said they have always followed this code with this in mind.

Moved by Mr. Willey, seconded by Mr. Nickell to **recommend to Council inclusion of verbiage in Ordinance 1273.01 (d) specifying single lots.** Yeas: 3. Nays: 0. **Motion carried.**

ADJOURNMENT

Moved by Mr. Nickell, seconded by Mr. Willey to **adjourn the meeting.** Yeas: 3. Nays: 0. **Motion carried.** Meeting adjourned at 6:50 p.m.