

CHAPTER 151: BUILDING REGULATIONS

Section

- 151.01 Title
- 151.02 Construction time limits
- 151.03 Building conditions
- 151.04 Hazardous condition of structure
- 151.05 Human habitation requirements
- 151.06 Public nuisance
- 151.07 Attractive nuisance

- 151.99 Penalty

§ 151.01 TITLE.

This chapter shall be known and cited as the “Parma Village Dilapidated Buildings Ordinance”.
(Ord. 129, passed 10-8-1990)

§ 151.02 CONSTRUCTION TIME LIMITS.

(A) All buildings and parts thereof erected on or before the effective date of this chapter shall be completed and fully and permanently enclosed within the time limit set forth in the building permit, or in the alternative, shall be torn down and removed, and any excavation thereunder filled in to grade level.

(B) All buildings and parts thereof thereafter erected shall be fully enclosed in accordance with the building permit issued therefor, within one year from the issuance of the permit, or the commencement of the construction, whichever shall first occur. This regulation shall not apply to the construction of large buildings containing more than 50,000 square feet of first floor space.
(Ord. 129, passed 10-8-1990)

§ 151.03 BUILDING CONDITIONS.

No building or structure, whether now existing or hereafter erected, shall be left in a dangerous or hazardous condition by virtue of abandonment, disrepair, depreciation, damage by fire, collapse or act of God, or by virtue of any other cause, but shall be forthwith repaired or rehabilitated, and the dangerous or hazardous condition removed by the owner or occupant thereof, or in the alternative, torn down and removed, and any excavation thereunder filled to grade level.
(Ord. 129, passed 10-8-1990)

§ 151.04 HAZARDOUS CONDITION OF STRUCTURE.

No building so damaged or destroyed to such an extent that the cost of repair and rehabilitation to place it in a safe, sound and sanitary condition exceeds 75% of the assessed valuation of the building, at the time the repairs or rehabilitation are to be made, shall be repaired or rehabilitated unless it is made to comply in all respects with the provisions of all village ordinances governing the building. Any building so damaged or destroyed to an extent that the cost or repair and rehabilitation to place it in a safe, sound and sanitary condition exceed 100% of the assessed valuation at the time when the repairs or rehabilitation are to be made, shall be deemed unfit for human habitation and shall be immediately vacated, and unless made to comply with all the provisions of the Village Building Code, shall be demolished and removed.

(Ord. 129, passed 10-8-1990)

§ 151.05 HUMAN HABITATION REQUIREMENTS.

Whenever it shall be certified by the Building Inspector or Health Officer of the village that a building is infected with contagious disease or is unfit for human habitation, or dangerous to life or health by reason of want of repair or of defects in the drainage, plumbing, lighting, ventilation or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of the building, the Building Inspector or Health Officer may issue an order requiring all persons therein to vacate the building within not less than 24 hours nor more than ten days for the reasons to be mentioned in the order. In case the order is not complied with within the time specified, the Building Inspector or Health Officer may cause the dwelling to be vacated. Whenever the Building Inspector or Health Officer is satisfied that the danger from the building has ceased to exist or that it is fit for human habitation, he or she may revoke the order or may extend the time within which to comply with same.

(Ord. 129, passed 10-8-1990)

§ 151.06 PUBLIC NUISANCE.

Whenever any building or premises or the plumbing, sewage, drainage, lighting or ventilation thereof is, in the opinion of the Building Inspector or Health Officer, dangerous or detrimental to life or health, the officer may declare that the same, to the extent he or she may specify, is a public nuisance, and may order the same to be removed, abated, suspended, altered or otherwise improved or purified, as the order shall specify.

(Ord. 129, passed 10-8-1990)

§ 151.07 ATTRACTIVE NUISANCE.

Whenever any building or premises is abandoned and in a state of disrepair by reason of broken windows, open doors, accumulation of litter within the building, and the building serves as an attractive nuisance for minors and other persons gathering or playing in the building the same shall be repaired and rehabilitated by the owner thereof upon receipt of the condition in writing by the Building Inspector or Health Officer of the village. Failure by the owner thereof to take action to repair and rehabilitate the building after receipt of the notice shall constitute a violation of this chapter. In the event that the building is not repaired or rehabilitated by the owner in accordance with the notice received from the Building Inspector

or Health Officer, then the same shall be demolished and removed, and any excavation thereunder filled to grade level.
(Ord. 129, passed 10-8-1990)

§ 151.99 PENALTY.

(A) Any person, firm or corporation who violates any of the provisions of this chapter shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500, or by imprisonment in the county jail not to exceed 90 days, or by both the fine and imprisonment.

(B) Each day that a violation continues to exist shall constitute a separate offense. In addition to the imposition of the fines and penalties, any building which continues to violate the provisions of this chapter after the owner or occupant has been ordered by the Building Inspector or Health Officer of the village to make the same comply or to demolish or to remove the building, may, in the discretion of the Village Board, be made to comply or be demolished and removed by the Village Board or its agents, and the costs thereof collected from the owner or occupant of the premises.

(C) If the owner or occupant refuses to pay the costs, the same may be assessed against the property of the owner or occupant and collected in the same manner as are taxes assessed under the general laws of the state. The owner or occupant who pays the costs may collect from the person or other entity who caused the violation to exist, for the sum so expended, in an appropriate action at law.

(D) The foregoing remedies and fines shall be in addition to the rights of the village to proceed at law or equity to obtain judgment against the owner for any costs associated with the suit or demolishing the building or grading to ground level, including collection of the costs in the same manner as taxes are assessed under the general real property tax laws of the state.
(Ord. 129, passed 10-8-1990)