

CHAPTER 1262
Administration, Enforcement and Penalty

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| <p>1262.01 Zoning certificate required; fee.</p> <p>1262.02 Issuance of certificates; compliance with Zoning Code required.</p> <p>1262.03 Application for certificates.</p> | <p>1262.035 False statements furnished in connection with application for zoning certificate.</p> <p>1262.04 Authority of Building and Zoning Inspector; appeals.</p> <p>1262.05 Permit fees.</p> <p>1262.99 General Code penalty.</p> |
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CROSS REFERENCES

- Planning Commission - see CHTR. Art. X; P. & Z. Ch. 1220
- Administrative board; powers and duties - see Ohio R.C. 713.11
- Limitation on procedural challenges - see Ohio R.C. 713.121
- Violation of zoning ordinances may be enjoined - see Ohio R.C. 713.13
- Appeals, variances, conditional zoning permits - see P. & Z. 1220.03 et seq.
- General provisions and definitions - see P. & Z. Ch. 1260

1262.01 ZONING CERTIFICATE REQUIRED; FEE.

For the purpose of enforcing the provisions of this Zoning Code, there is hereby established a system of zoning certificates. No person shall locate, erect, construct, reconstruct, enlarge or structurally alter any building, structure or portion thereof; open, relocate, or change the nature of a business; or change the use of any lot or land, without first making application for and obtaining a zoning certificate and paying the fee applicable therefor. The fee for such certificate shall be seventy-five dollars (\$75.00).
(Ord. 1963-95. Passed 7-30-63; Ord. 2013-63. Passed 6-12-13.)

1262.02 ISSUANCE OF CERTIFICATES; COMPLIANCE WITH ZONING CODE REQUIRED.

No zoning certificate shall be issued by the Building and Zoning Inspector, or his or her assistants, unless the proposed building, structure, use of the lot or land, and the plans therefor, fully comply with the provisions of this Zoning Code.
(Ord. 1963-95. Passed 7-30-63; Ord. 2013-63. Passed 6-12-13.)

1262.03 APPLICATION FOR CERTIFICATES.

All applications for zoning certificates shall be made on the proper form furnished or approved by the Building and Zoning Inspector. For applications that involve new construction, reconstruction, enlargements, or structural or interior alterations; plot plans

or drawings shall be attached that clearly indicate: the exact location of the lot or land involved; any and all buildings or structures presently existing or proposed; all pertinent dimensions; the proposed location and nature of any new construction, reconstruction, enlargements or structural or interior alterations intended therefor; and such additional and pertinent information as the Building and Zoning Inspector deems necessary for the issuance of a zoning certificate. All applications shall indicate the proposed use of such property, and if the property is to be used for a business, the applicant shall provide a detailed description of the nature of the business to be conducted on the property.

(Ord. 1963-95. Passed 7-30-63; Ord. 2013-63. Passed 6-12-13.)

1262.035 FALSE STATEMENTS FURNISHED IN CONNECTION WITH APPLICATION FOR ZONING CERTIFICATE.

No person shall knowingly make a false statement or provide false information in connection with an application for a zoning certificate. The penalty for violation of the within section is as is provided for in Section 1262.99. In addition, the Building and Zoning Inspector may revoke any zoning certificate issued pursuant to an application that contains false statements or information.

(Ord. 2013-63. Passed 6-12-13)

1262.04 AUTHORITY OF BUILDING AND ZONING INSPECTOR; APPEALS.

Within ten business days after receipt of an application for a zoning certificate, unless the subject matter requires reasonable additional time, the Building and Zoning Inspector shall either issue to the applicant a zoning certificate as applied for, or reject such application, stating in writing his or her reasons for such rejection and notifying the applicant of his or her right to appeal the decision to the Planning Commission pursuant to Section 1220.04 of this Code.

(Ord. 1963-95. Passed 7-30-63; Ord. 2013-63. Passed 6-12-13.)

1262.05 PERMIT FEES.

(a) Plans. The following plans shall be required in connection with an application for a zoning certificate:

- (1) Plat and topographics.
- (2) Foundation and soil test borings.
- (3) Floor plans.
- (4) Elevations.
- (5) Sections.
- (6) Structural plans.
- (7) Structural details.
- (8) Plumbing.
- (9) Heating, ventilation and air conditioning.
- (10) Electrical power, grounds and lighting.

- (11) Drainage, storm sewer, catch basin and curb inlet.
 - (12) Sanitary sewer, septic tank and percolation tests.
 - (13) Water connections and/or well and pump.
 - (14) Specifications.
- (b) Permits. The following kinds of permits may be issued:
- (1) Zoning certificate (occupancy permit).
 - (2) Plumbing permit (percolation test).
 - (3) Heating and air conditioning permit.
 - (4) Electrical permit, motors and equipment.
 - (5) Building permit.
 - (6) Temporary permit for moving, demolition, etc.
- (c) Tap-in Fees. The following connection and tap-in fees shall be due and payable to the Municipality:
- (1) Water line tap-in fee (Municipality and City of Cleveland).
 - (2) Sewer connection tap-in fee.
- (d) Inspections. The following inspections shall be carried out:
- (1) Grade line, walk, basement, setback, side (edge) distance.
 - (2) Foundation.
 - (3) Structural framing.
 - (4) Rough plumbing, underground.
 - (5) Rough electrical, grounds.
 - (6) Architectural, floors, walls, partitions, firestops, fireproofing, insulation.
 - (7) Heating and air conditioning.
 - (8) Finished plumbing.
 - (9) Finished electrical.
 - (10) Finished heating and air conditioning.
 - (11) Finished architectural (see paragraph (d)(6) hereof).
 - (12) Fire protection and safety.
- (e) Examination of Detailed Plans. The following items are to be included in the examination of detailed plans by the Municipality:
- (1) Performance bond, maintenance bond and certificates of insurance.
 - (2) Referenced monuments and bench marks with descriptions.
 - (3) Test corings, foundation borings, logs and drawings.
 - (4) Property plat, topographic map with original contours.
 - (5) Drainage with original condition.
 - (6) Building grade line, surface drainage, access, egress and ingress.
 - (7) Architectural elevations.
 - (8) Engineering:
 - A. Storm sewerage.

- B. Sanitary sewerage.
- C. Sanitary sewage treatment:
 - 1. Hydraulic data.
 - 2. Treatment plant plans.
 - 3. B.O.D. and D.O. control.
 - 4. Points of effluent discharge.
 - 5. Disposal of solid wastes.
- D. Street and Road: curb, inlets, catch basins, traffic flow.
- E. Structural foundation plans: show loadings, use, occupancy.
- F. Water source: location and elevation of well, pump and capacity, service mains, fire hydrants (details), hydraulic data, water treatment required, purification, potability, controls and hardness.
- G. Electrical plans: conduit size, equipment operating temperature, power and load, ground lighting, warning lights and safety lights.
- H. Mechanical: ventilation, dust, and particle size control, duct sized and locations, heating and air conditioning.
- I. Gases and fumes: dangerous materials, explosives fire hazards, processing hazards and storage hazards.
- J. Discharges: waste disposal, sewerage, dust, gas, fumes, process employed and control, noise, traffic hazard and road and bridge capacities.
- K. Detail specifications: material source, manufacture, catalog numbers, date, descriptions and specifications with reference to design or contract drawings.
- L. Quantities: estimate of quantities by item.
- M. Construction: estimated cost and proposed date of beginning and completion.
- N. Copies required: three of plans, specifications and estimates.
- O. As built plans and specification changes, revised quantities and costs, three copies at the completion of the job.
- P. Release of performance bond after all permit and inspection fees have been paid.
(Ord. 1963-95. Passed 7-30-63.)

(f) Fees for Zoning Certificates and Conditional Zoning Certificates. The following fees shall be charged and collected for the filing of applications and issuance of permits as hereinafter set forth:

(1) Residential (single or two-family dwellings).

A. New construction:

Initial fee.

\$500.00

Plus : \$8.00 per 100 sq. ft. of floor area or fraction thereof on all floors.

B. Additions:		
Initial fee.		\$250.00
Plus: \$8.00 per 100 sq. ft. of floor area or fraction thereof on all floors.		
C. Alterations:		
Initial fee.		\$150.00
Plus: \$8.00 per \$1,000 improvement valuation or fraction thereof or \$8.00 per 100 sq. ft., whichever is less.		
D. Accessory buildings and detached garages, carports and breezeways, etc:		
Initial fee.		\$150.00
Plus: \$8.00 per 100 sq. ft. of floor area or fraction thereof.		
E. Down spouts, footer drains and storm drains.		
Initial fee.		\$100.00
Plus: \$8.00 per \$1,000 in improvement valuation.		
Inspection fee, per inspection.		\$75.00
F. Waterproofing.		
Initial fee.		\$100.00
Plus: \$8.00 per \$1,000 of improvement valuation.		
Initial inspection fee.		\$75.00
Re-inspection fee.		\$40.00
G. Sidewalks, concrete pads and patios.		
Initial fee.		\$50.00
H. Concrete or asphalt driveway additions or repairs.		
Initial fee.		\$75.00
I. Sanitary sewer lateral repair or replacement.		\$150.00
J. Storm sewer lateral repair or replacement		\$150.00
K. Additional re-inspection fees related to any of the above		\$75.00
(2) <u>Multiple dwellings (apartments, condominiums, townhouses, high-rises, etc., having three or more dwelling units).</u>		
A. New construction:		
Initial fee, per unit.		\$800.00

	Plus: \$8.00 per 100 sq. ft. of floor area or fraction thereof.	
B.	Alterations or repairs with no addition or enlargement of floor area:	
	Initial fee, per unit.	\$250.00
	Plus: \$8.00 for each \$1,000 improvement valuation or fraction thereof or \$6.00 per 100 sq. ft., whichever is less.	
C.	Additions:	
	Initial fee, per unit.	\$400.00
	Plus: \$8.00 per 100 sq. ft. of floor area or fraction thereof in all stories.	
D.	Accessory buildings and detached garages:	
	Initial fee, per unit.	\$250.00
	Plus: \$8.00 per 100 sq. ft. of floor area or fraction thereof.	
E.	Grade line: elevation.	\$400.00
F.	Downspout drains, footer drains and storm drains.	
	Initial fee.	\$200.00
	Plus \$8.00 per \$1,000 of improvement valuation or fraction thereof.	
	Inspection fee.	\$75.00
G.	Waterproofing.	
	Initial fee.	\$200.00
	Plus: \$8.00 per \$1,000 of improvement valuation or fraction thereof.	
	Initial inspection fee.	\$75.00
	Re-inspection fee.	\$40.00
H.	Sidewalks, concrete pads and patios.	
	Initial fee.	\$180.00
I.	Concrete or asphalt driveways or access roads.	
	Initial fee.	\$150.00
J.	Parking lot replacement.	
	Initial fee.	\$400.00
	Parking lot repairs.	
	Initial fee.	\$200.00

- K. Additional re-inspection fees related to any of the above \$75.00
- (3) Commercial, industrial, public and quasipublic buildings. (Including buildings appurtenant thereto of which the Municipality has jurisdiction, including new construction and not specifically provided for elsewhere in the Building and Housing Code).
- A. New construction:
- Initial fee. \$1,500.00
- Plus: \$10.00 per 100 sq. ft. of floor surface or fraction thereof.
- B. Alterations:
- Initial fee. \$250.00
- Plus: \$10.00 per \$1,000 improvement valuation or fraction thereof or \$8.00 per 100 sq. ft., whichever is less.
- C. Additions:
- Initial fee. \$750.00
- Plus: \$10.00 per 100 sq. ft. of floor area or fraction thereof.
- D. Accessory buildings, detached garages, etc.
- Initial fee, per unit. \$800.00
- Plus: \$10.00 per 100 sq. ft. of floor area.
- E. Grade line: elevation \$500.00
- (4) Signs.
- A. New signs, alterations, or repairs.
- All advertising signs, regardless of method, with a total of 30 sq. ft. or less of sign area. \$120.00
- For each additional 30 sq. ft. or less of sign area. \$35.00
- Grade line and elevation. \$500.00
- B. Temporary signs.
- Inspection fee. None
- (5) Miscellaneous fees.
- A. Aluminum or vinyl siding.
- Initial fee. \$50.00
- Plus: \$8.00 per \$1,000 valuation.
- (Fee waived for persons sixty-two and older)

B. Basement addition. Raising or constructing foundation walls for the addition of a basement, covering, re-connection or sewer and water connections, but no additional fixtures except for basement drainage.	
Initial fee, each unit	\$100.00
Plus: \$8.00 per \$1,000 valuation.	
C. Curb cutting fees.	
Curb cutting, lowering or removing.	
1. New work - minimum fee.	\$125.00
Plus fee, per foot of curb.	\$5.00
2. Widening previous cuts - minimum fee.	\$200.00
Plus fee, per foot of curb.	\$5.00
D. Demolition fees.	
One and two-family buildings.	\$100.00
Detached garages or other accessory buildings.	\$50.00
(Fee waived for persons sixty-two and older)	
All other buildings.	
Residential.	\$125.00
Commercial.	\$200.00
E. Fence permit.	
Fee:	
Residential.	\$50.00
(Fee waived for persons sixty-two and older)	
Commercial Industrial/Public/Quasi Public.	\$100.00
F. Greenhouse building fees.	
Private.	
Initial fee:	\$50.00
Plus: \$5.00 for each 100 sq. ft. of floor area or fraction thereof.	
Commercial.	
Initial fee:	\$150.00

	Plus: \$8.00 for each 100 sq. ft. of floor area or fraction thereof.	
G.	Moving fees. Moving any building or structure upon or over public or private roadways or public property.	
	Initial fee:	\$300.00
	Plus: When building is on public street or alley an hourly fee of	\$35.00/hr.
	Moving any open building or shed across a property line.	\$35.00
	Moving any building on one's own property where utilities are not affected.	\$35.00
	Moving any building on one's own property where utilities are affected.	\$50.00
	In addition, a minimum bond to indemnify the Municipality and the public against any damage in the amount of \$10,000 shall be furnished for moving any building on a public right-of-way.	
	A larger bond shall be required where Public Safety or Public Service Department officials deem such to be necessary. Such additional bond may be required at any time, before, during or after the moving shall occur.	
H.	Storage tanks, not including septic tanks.	
	Capacity (gallons).	
	2000 or less	\$60.00
	2001 to 4999	\$100.00
	5000 or more	\$125.00
I.	Swimming pools and lakes.	
	Permit fee - in-ground pools and lakes.	\$100.00
	Above-ground pools with depths greater than 3 feet.	\$50.00
J.	Circus, carnival, tent show, side show, midway, artificial curiosity, etc., where admission in any form is charged:	\$500.00
	For temporary structures, of any type, each (grandstands, seating, etc., for spectators and approved by the engineer).	\$500.00
	Plus: \$100,000 safety bond.	
	For grade line and elevation.	\$500.00
	Deposit for cleaning up premises, etc., to be refunded if left in satisfactory condition upon removal.	\$1,500.00

K. Any building or structure, not specifically enumerated herein.	
Initial fee:	
Residential	\$75.00
Commercial/Industrial/Public/Quasi Public	\$150.00
Plus: \$8.00 per \$1,000 improvement valuation or fraction thereof.	
L. Excavation, extraction, removal or stripping of topsoil, subsoil, gravel, sand or open mining from lots or acreage of land for all work greater than 50 cubic yards.	
Residential	\$400.00
Commercial/Industrial/Public/Quasi Public	\$600.00
Grade line and elevations.	\$500.00
Recheck grade line or elevations.	\$300.00
M. Examination of plans for residential, commercial and/or industrial site development.	
1. Site development plans.	
Initial fee:	
Residential	\$150.00
Commercial/Industrial/Public/Quasi Public	\$300.00
Plus: \$200.00 per acre of development or fraction thereof.	
Plus all necessary review work performed by the Village Engineer will be billed at the Engineer's Village approved hourly rate for that calendar year.	
2. Subdivision dedication plat.	\$ 250.00
N. Change of use of commercial or industrial property.	
Initial fee:	\$250.00
Plus: \$9.00 per 100 sq. ft. of building.	
O. New windows (for work exceeding \$750.00).	
Initial fee:	
Residential	\$50.00
Commercial/Industrial/Public/Quasi Public	\$100.00
Plus: \$8.00 per \$1,000 valuation or fraction thereof.	
(Fee waived for persons sixty-two and older)	

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| P. Satellite dishes. | \$50.00 |
| Q. Storage sheds. | \$30.00 |
| (Fee waived for persons sixty-two and older) | |
| R. Re-roofing. | |
| Initial fee. | |
| Residential | \$50.00 |
| Commercial/Industrial/Public/Quasi Public | \$100.00 |
| Plus: \$8.00 per \$1,000 valuation or fraction thereof. | |
| S. Driveways. | |
| Residential | \$75.00 |
| (Fee waived for persons sixty-two and older) | |
| Commercial/Industrial/Public/Quasi Public | \$200.00 |
| T. Decks. | |
| Initial fee: | \$50.00 |
| Plus: \$8.00 per \$1,000 valuation or fraction thereof. | |
| U. Retaining walls. | |
| Initial fee: | \$50.00 |
| Plus: \$8.00 per \$1,000 valuation or fraction thereof. | |
| (Fee waived for persons sixty-two and older) | |
- (6) Surcharge. A fee of \$50.00 will be charged for any re-inspection of work on an original permit, unless otherwise specified herein.
- (7) Maintenance repairs. Maintenance repairs in residential and commercial areas with a value less than \$850.00 will not require any permit.
- (8) Painting. Painting of structures in all areas will not require any permit.
- (9) Penalty. The penalty for the failure to obtain a zoning certificate, as provided by Ohio R.C. 713.13 and these Codified Ordinances, shall be the zoning certificate fee plus 200 percent thereof. A zoning certificate shall be required for the erection, construction, alteration, repair or maintenance of any building or structure, or the use of land or a lot, for any work exceeding \$850.00 in value.
- (10) Inspections performed outside of regular work hours. In the event that the applicant requests an inspection by the Municipality for a time that is outside the inspector's regular work hours and the inspector is available to conduct such an inspection, an additional \$100.00 inspection fee shall be required aside from the regular fee for the particular inspection.

- (11) Inspector on site. If a municipal inspector needs to be on a construction site to observe and/or inspect work for more than one-half hour, the permit holder will be billed at the rate of \$42.00 per hour. The project manager or project foreman shall sign an inspection time sheet identifying the time period the inspector was present for the inspection. A minimum extra time inspection fee of \$75 shall be charged. The re-inspection fee shall be \$40.00.
(Ord. 1997-63. Passed 9-10-97; Ord. 2001-14. Passed 2-14-01; Ord. 2004-27. Passed 5-26-04; Ord. 2008-53. Passed 9-24-08; Ord. 2011-65. Passed 10-26-11; Ord. 2013-39. Passed 5-8-13.)

1262.99 GENERAL CODE PENALTY.

Whoever violates any of the provisions of this Zoning Code, or fails to comply therewith for which no penalty is otherwise provided, shall be guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(Ord. 1963-95. Passed 7-30-63; Ord. 2013-63. Passed 6-12-13.)