

CHAPTER 1444
Point of Sale Exterior Inspection

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CROSS REFERENCES

- Conveyances - see Ohio R.C. Ch. 5301
 Zoning inspections - see P. & Z. 1262.05(d)
 Building inspections - see B. & H. 1420.04, 1440.20
 Exterior property maintenance standards - see B. & H. Ch. 1490
 Fire inspections - see F.P. 1610.09

1444.01 SALES; CERTIFICATE REQUIRED; PRESENTATION TO BUYER; CONTENTS OF CERTIFICATE.

The owner of any structure or premises entering into an agreement to sell or otherwise convey an interest in such building, structure or premises shall obtain from the Building and Zoning Inspector a Certificate of Exterior Inspection, and present such bona fide Certificate or an exact copy thereof to any prospective purchaser or grantee prior to the time of transfer of title to the purchaser. The Certificate shall list thereon all known violations of the Building and Housing Code as well as other informational material relating to such inspection.

(Ord. 1995-11. Passed 2-22-95; Ord. 2014-49. Passed 9-10-14.)

1444.02 APPLICATION FOR AND ISSUANCE OF CERTIFICATES; ORDERS TO CORRECT; NONCOMPLIANCE; EFFECTIVE PERIOD OF CERTIFICATES.

(a) Application for a Certificate of Exterior Inspection required by the provisions of this chapter shall be made by the owner or an agent for the owner of the building, structure or premises to be sold. The owner or occupant thereof shall, upon the filing of the application, permit the Building and Zoning Inspector or any authorized Building Inspector of the Building Department access to the real property upon request during the hours of 9:00 a.m. to 8:00 p.m., Monday through Saturday of each week, except legal holidays, for the purpose of making an exterior inspection of the land, building or structure. The failure to permit

access to the real property for the said exterior inspection during the period provided for herein and upon identification of the Inspector(s) shall be deemed a violation of this chapter.

(b) The following schedule for issuing a Certificate shall be followed, except where a longer period is required because of causes beyond the control of the Village:

- (1) Within ten working days after receipt of the application and required fee, the Building and Zoning Inspector or any authorized Building Inspector of the Building Department shall cause an exterior inspection of the designated property to be made.
- (2) The Building and Zoning Inspector shall then issue a Certificate within five working days after gaining access to the subject property, which Certificate shall contain the following information:
 - A. The street address, permanent parcel number or other identifying characteristics of the property;
 - B. The name and address of the owner of the property; and
 - C. A list of violations of the maintenance standards contained in the Building and Housing Code of these Codified Ordinances existing at the time of such exterior inspection, if any.

(c) Except in the case of danger to the health or safety of the public, the Certificate shall contain an order from the Building and Zoning Inspector to correct any Building and Housing Code violations noted on the Certificate, which shall be corrected by the owner of the property within sixty days of the issuance of the Certificate, unless, for good cause shown, the Building and Zoning Inspector has extended the time for compliance.

(d) If the owner of a property does not correct the violations enumerated in the Certificate prior to the time the title is transferred to the purchaser, then the purchaser will be required to correct the violations contained in the Certificate of Exterior Inspection within the time allotted in the notice given to the prior owner or as extended by the Building and Zoning Inspector.

(e) If, pursuant to subsection (d) hereof, the title to the property is transferred prior to the correction of the violations enumerated in the Certificate to the Village's satisfaction, there shall be deposited in escrow, prior to transfer, a written statement agreed to by the owner and the purchaser setting forth their respective responsibilities for correcting the violations enumerated in the Certificate which remain uncorrected and setting forth the sum of money which is sufficient to correct the respective violations.

(f) Nothing in this chapter shall be construed as limiting the authority of the Village, at any time, to proceed against the current owner of record to require corrections of Code violations.

(g) The Certificate shall be valid for a period of one year from the date of issuance, unless an extension is approved by the Building and Zoning Inspector. In case of resale within the one-year period, the Certificate shall be transferred to any subsequent bona fide purchaser and shall be valid for the remainder of that period.

(Ord. 1995-11. Passed 2-22-95; Ord. 2014-49. Passed 9-10-14.)

1444.03 COMPLIANCE DOCUMENT.

(a) At the request of the property owner or his or her agent, the Village shall issue a letter or other written document signed and dated by the Building and Zoning Inspector stating that the violations listed on a specific Certificate of Exterior Inspection have been corrected to the Village's satisfaction.

(b) At the request of the property owner or his or her agent, the Village may issue a letter or other written document signed and dated by the Building and Zoning Inspector stating that some, but not all, of the violations listed on a specific Certificate have been completed to the Village's satisfaction.

(Ord. 1995-11. Passed 2-22-95; Ord. 2014-49. Passed 9-10-14.)

1444.04 FEES.

The fee charged for the Certificate of Exterior Inspection shall be one hundred dollars (\$100.00). The fee shall be paid at the time the application for the Certificate is filed with the Village. (Ord. 1995-11. Passed 2-22-95; Ord. 2000-42. Passed 4-12-00; Ord. 2004-32. Passed 6-23-04; Ord. 2013-22. Passed 2-13-13.)

1444.05 RELIANCE ON CERTIFICATE AND COMPLIANCE DOCUMENT.

(a) In issuing a Certificate of Exterior Inspection under this chapter, the Village does not thereby insure, warrant or guarantee to the holder thereof, to his or her assignees, or to any other interested party, that such Certificate contains all of the violations of the Codified Ordinances of the Village. Such Certificate should be considered by all parties as the Village's best effort to make known to owners and purchasers of real estate the known exterior maintenance violations on a given property at the time the exterior inspection is made. A copy of this subsection, or a digest thereof, shall be contained in each Certificate.

(b) In issuing a Compliance Document under the provisions of this chapter, the Village does not thereby insure, warrant or guarantee the quality of repairs or standard of work exhibited in the correction of violations listed on a Certificate of Exterior Inspection. Such document should be construed only as a statement by the Village that some or all of the

violations listed on the Certificate have been corrected to the Village's satisfaction. A copy of this subsection, or a digest thereof, shall be contained in each Compliance Document. (Ord. 1995-11. Passed 2-22-95.)

1444.99 PENALTY.

Any person who participates in a transaction in which a Certificate of Exterior Inspection is required but not obtained, including the seller of the property, the buyer of the property, any real estate agent representing a party to the transaction, or any escrow or title agent handling or dispersing the purchase proceeds related to the transaction, is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars or imprisoned not more than thirty days for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(Ord. 1995-11. Passed 2-22-95; Ord. 2013-22. Passed 2-13-13.)