

EXHIBIT “A”

CITY OF MASON, OHIO

LOCAL AMENDMENTS

to the

OHIO RESIDENTIAL CODE FOR ONE, TWO AND THREE FAMILY DWELLINGS

Adopted by: _____

Date Adopted: _____

Ordinance No.: _____

Effective Date: _____

CITY OF MASON, OHIO
LOCAL AMENDMENTS
to the
1999 OHIO RESIDENTIAL CODE

These amendments modify the Ohio Residential Code for One, Two and Three Family Dwellings (1999 Edition).

To make a complete copy of the 1999 Residential Code as adopted and enforced by this jurisdiction, follow the steps below:

- Step1:** Make the 1999 OBOA changes (page removals and insertions) to the 1998 International One and Two Family Dwelling Code first. Refer to the instruction sheet accompanying OBOA's amendments.
- Step 2:** Insert the local amendments for the City of Mason, Ohio.

CITY OF MASON

Local Amendments to the Ohio Residential Code 1999 Edition

106.5 Adjudication order, required before legal proceedings. Before any department or agency or any political subdivision attempts to enforce this code, by any remedy, civil, or criminal, it shall issue an adjudication order. Such orders shall be prepared and executed in accordance with Section 4101:2-1-35 of the Ohio Basic Building Code, 1998 edition.

113.2 Occupancy approval. Occupancy may not occur without a final inspection and approval (issuance of a Certificate of Occupancy)

113.2.1 New buildings: A dwelling unit hereafter erected shall not be used or occupied in whole or in part until the certificate of occupancy has been issued by the building official.

113.2.2 Additions, alterations, accessory buildings: A dwelling unit hereafter added to or altered, and residential accessory buildings shall not be used or occupied, in whole or in part until a final inspection is approved, except that any use or occupancy which was not discontinued during the work of alteration shall require a final inspection and approval within 30 days of the completion of the alteration.

113.2.3 Temporary occupancy: Upon the request of the holder of a permit, the building official may issue a temporary certificate of occupancy for a building or structure, or part thereof, before the entire work covered by the permit shall have been completed, provided such portion or portions may be occupied safely prior to full completion of the building or structure without endangering life or public welfare. Temporary occupancy approval shall be valid for a time period determined by the building official. Using or occupying a structure after a temporary certificate of occupancy has expired, and without obtaining final occupancy approval, shall be a violation of this code.

114.1 Industrialized Units and Manufactured Homes: Industrialized, modular, or factory-built units shall be approved, inspected and labeled by the State of Ohio. Manufactured homes shall be designed, constructed and certified under the rules set forth by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et.seq.). Evidence of such approval shall be submitted, along with an application for permit for all work to be constructed or completed on the building site. Work accomplished on the building site is subject to review and inspection in accordance with this Code. Drawings showing all on-site construction and utility connections, and the relationship of the on-site work to the industrialized unit or manufactured home are required to be submitted for review. Fees as prescribed by this Code shall apply to the on-site construction, only. Further regulation of the manufactured or "mobile home" is prescribed in the local Zoning Resolution and environmental sanitation rules.

115.1 General: Provisions for swimming pools are contained in Appendix B.

117.3 Unsafe buildings: Where a building is found to be unsafe as defined in Section 202, the conditions causing the safety hazard shall be eliminated or the building shall be vacated, and where such building, when vacated, remains unsafe, it shall be razed. Where the building official finds that a building is unsafe and the owner of such building fails, in the time specified in a written notice from the building official, to eliminate such hazard, or to vacate or raze the building, the building official shall proceed under Section 106.5 of this code and section 3781.15 of the Revised Code.

118.1 General. Upon notice from the building official, work on any building, structure, electrical, gas, mechanical or plumbing system that is being done contrary to the provisions of this code shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the specific violations and the conditions under which work shall be permitted to be resumed. The building official may post the notice on the jobsite. It shall not be

obscured, defaced, or removed. Only the building official may remove it. Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work.

119.1 General. Provisions for energy conservation are contained in Appendix C.

Section 202 General Building Definitions (add the following)

ADDITION: An extension or increase in floor area or height of a building or structure.

ALCOVE: A recess adjoining and connected with a larger room, with an unobstructed opening into such room.

ALTERATIONS, STRUCTURAL: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

AREA, BUILDING: The area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

AREAWAY: An uncovered subsurface space adjacent to a building.

ATTIC: The space between the ceiling beams of the top story and the roof rafters.

BACKFILL: To place selected earth or fill material in an excavated void.

BATHROOM: A room containing a bathtub, shower, spa or similar bathing fixture.

BREEZEWAY: A covered passage between two buildings, open at the sides.

BUILDING INSPECTOR: Authorized employee of the **City of Mason**, charged with the duty to inspect new and existing construction and buildings for code compliance.

CRAWL SPACE: An unfinished, accessible space below a floor with a minimum clearance of eighteen inches to the bottom of the joists. Spaces with headroom 6 feet 8 inches or higher shall be considered basements.

DAMPER: A manually or automatically controlled device to regulate draft or the rate of flow of air or combustion gases.

DAMPPROOFING: A treatment of a surface or structure, which retards the passage of water.

DOOR, EXIT: All doors located in the exterior perimeter of a building or structure, which leads to finished grade or the public way.

DOWNSPOUT: A pipe leading downward to carry off rainwater from the roof gutter.

DRAINAGE SYSTEM: Those man-made items and natural features which collect storm water from roofed, paved or natural surfaces and convey same to proper outflow; includes all facilities from the collecting surface to outflow.

DRIVEWAY: A private way to a single building for the use of vehicles and pedestrians.

DUCT: A tube or conduit utilized for conveying air. The air passages of self-contained systems are not to be construed as air ducts.

DWELLING: Any building which contains one, two or three "dwelling units" used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or which is occupied for living purposes.

DWELLING, DETACHED: A separate building containing one, two or three dwelling units, which functions as a dwelling.

DWELLING UNIT: A single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

FIREBRICK: A refractory brick, as of fire clay, capable of sustaining high temperatures without fusion; used for lining fireplaces and chimneys.

FIRE RESISTANCE RATING: The time in hours or fractions thereof that materials or their assemblies will resist fire exposure as determined by the fire test procedures set forth in ASTM E-119.

FROST LINE: The greatest depth to which ground may be expected to freeze.

GARAGE, PRIVATE: A garage for four or less passenger motor vehicles, four or less single motor airplanes, or one commercial motor vehicle, without provision for repairing or servicing such vehicles for profit.

GREENHOUSE: An enclosed detached accessory structure consisting primarily of light-transmitting materials and used exclusively for growing plants.

GUARDRAIL SYSTEM: A system of building components located near open sides of elevated walking surfaces.

HABITABLE ROOM: Any room meeting the requirements of this Code for sleeping, living, cooking or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar spaces.

HEIGHT, BUILDING: The vertical distance from grade plane to the average height of the highest roof surface.

LANDING: A platform in a flight of stairs between two stories; the termination of a stair.

LOT LINE: A line dividing one lot from another, or from a street or any public place.

MEZZANINE: An intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-third of the area of the room in which the level or levels are located.

MOBILE HOME: See Manufactured Home

MODULAR HOME: Industrialized (factory-built) sectionized buildings, approved by the State of Ohio, as distinguishable from pre-cut or pre-fabricated units, which are site-assembled.

OCCUPANCY: The purpose for which a building or portion thereof is used.

POOL, FAMILY (RESIDENTIAL) SWIMMING: A built or unitized accessory structure consisting of a basin or tank of water for swimming and diving by the homeowner and family, and their invited guests only. This excludes hot tubs, spas and ponds.

REPAIR: The reconstruction or renewal of any part of an existing structure for the purpose of its maintenance.

SITE PLAN: A drawing showing the position and dimensions of the site, the project and all required auxiliary information including contours of the land.

STAIRWAY: One or more flights of stairs, and the necessary landings and platforms connecting them, to form a continuous and uninterrupted passage from one floor to another.

STRUCTURE: That which is built or constructed or a portion thereof.

SWALE: A drainage channel formed by the convergence of intersecting slopes.

TOWNHOUSE: A single-family dwelling unit constructed in a row of attached units separated by property lines and with open space on at least two sides.

UNSAFE BUILDING: Any building or portion thereof, including any dwelling unit, guest room, suite of rooms or the premises on which the same is located in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety or welfare of the public, or the occupants thereof, shall be deemed and hereby is declared to be an unsafe building. Conditions shall include, but are not limited to the following:

- Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size, or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
- Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in these Regulations for new buildings of similar structure, purpose or location.
- Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structure strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of these Regulations for new buildings of similar structure, purpose or location.
- Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in these Regulations for a new building or similar structure, purpose or location without exceeding the working stresses permitted in these regulations for such buildings.
- Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- Whenever the building or structure, or any portion thereof, because of (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or stability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause, is likely to partially or completely collapse.
- Whenever, for any reason, the building or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

- Whenever the building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
- Whenever the building has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; (b) a harbor for vagrants, criminals or immoral persons; or (c) as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
- Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by these Regulations or of any law or regulation of this state or county relating to the condition, location or structure of buildings.
- Whenever any building which, whether or not erected in accordance with all applicable laws and regulations, has in any non-supporting part, member or portion, less than 50 percent, or in any supporting part, member or portion, less than 66 percent, of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building or like area, height and occupancy in the same location.
- Whenever a building, used or intended to be used for dwelling purposes because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise is determined by the Health Officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by a Fire Service Official to be a fire hazard.
- Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
- Whenever any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such buildings or portion thereof an attractive nuisance or hazard to the public.

WALL, PARAPET: That part of any wall entirely above the roof line.

WALL RETAINING: Any wall used to resist the lateral displacement of any material.

**CHAPTERS 39-48
DELETED**

Pages 309-372 deleted in their entirety.

The provisions of the National Electric Code, NFPA 70, **beginning with the 2002 Edition**, as referenced in the Ohio Building Code, as the same may be revised and adopted by the State of Ohio, shall be incorporated herein and shall govern the installation, testing and operation of the electrical systems of one, two and three family dwellings within this jurisdiction.

**APPENDIX B
FAMILY (RESIDENTIAL) SWIMMING POOLS**

Family (residential) swimming pools shall conform to the requirements of this Section (public swimming pools are regulated under Chapter 3749 of the Ohio Revised Code and not this Code).

- A. Permits. Permits are required as follows:
1. Building permits are required for all family (residential) swimming pools more than 24 inches in depth at any point, or greater than 150 square feet in surface area. Pools not requiring building permits may require permits as listed in (2) and/or (3) below.
 2. Plumbing Permits are required for all pools served by a permanent water supply and/or permanent draining system.
 3. Electrical permits are required for all pools, which utilize electrical apparatus or equipment, in conjunction with the cleaning, servicing or operation of the pool. (Copy of electrical permit required at application.)
 4. Separate permits are not required for fences used as pool enclosure devices. (See Par. (D) under this section.)
 5. All permits require that certain in-process inspections and a final inspection must be accomplished before the pool is filled. The permit holder is responsible for final inspection. Prior to the final inspection, the required enclosure shall be installed and the electrical work shall be approved. No work requiring inspection shall be permanently covered, before such inspection is accomplished.
- B. Location on lot. The family (residential) swimming pool walls shall be a minimum of 3'-0" from property lines, unless regulated differently by zoning regulations.
- C. Design and Construction.
1. In-ground swimming pools
 - a. Minimum Standards – The standards to be used in determining compliance to this section shall be the most current copy of Standards for Residential Swimming Pools.
 2. Above ground/on ground swimming pools
 - a. Minimum Standards – The standards to be used in determining compliance to this section shall be the most current copy of Standard for Above Ground/On Ground Residential Swimming Pools.
- D. Enclosure Devices. Every person owning land on which a family (residential) swimming pool is situated, which constitutes an obvious hazard, or which is more than 24 inches in depth at any point or greater than 150 square feet in surface area, shall erect and maintain thereon an enclosure surrounding the pool area, sufficient to make such a body of water inaccessible to small children.

Pool enclosures, including gates, must be not less than 48 inches tall measured from the grade four (4) feet beyond the enclosure.

All gates must be self-closing and self-latching with all latches placed on the inside of the enclosure high enough to render the gate inoperable by small children.

All enclosures shall have intermediate rails or ornamental closures, which will not allow passage of an object 4 inches or more in diameter.

Exceptions:

1. Pools with walls 48 inches or higher above grade require no enclosure. (Grade should prevail for at least four feet beyond the pool wall.)
2. Above ground pools with walls 48 inches or higher and with decks and removable ladders as the sole means of access need no enclosure, if the ladder is removed to render the pool inaccessible to small children when not in use.
3. Pools with fencing attached to the top of the wall making the total height over 48 inches high require no further enclosure.

- E. Pool Covers. Manufactured, mechanically operated or manually closed horizontal pool covers may be installed without a building permit, but such covers are not considered as a substitute or replacement for the enclosures required above.
- F. Minimum Standards. When items not required by this Section are used in construction or operation of family (residential) swimming pools, or when performance is required by this Section, the standards to be used in determining compliance to this Section shall be those as established by the National Spa and Pool Institute (2111 Eisenhower Avenue, Alexandria, Virginia 22314).