

REQUESTED BY BUILDING DEPT.  
APPROVED BY PLANNING COM.  
INTRODUCED BY PRIBONIC

ORDINANCE NO. 2016-112

AN ORDINANCE AMENDING PART THIRTEEN, C.O.S., ENTITLED "BUILDING CODE", PARTICULARLY TITLE ONE THEREOF, ENTITLED "ADMINISTRATION", SPECIFICALLY CHAPTER 1309 THEREOF, ENTITLED "BUILDING PERMITS AND FEES", SPECIFICALLY SECTION 1309.01 THEREOF, ENTITLED "PERMIT REQUIRED", TO MAKE IT CONSISTENT WITH ADMINISTRATIVE SECTIONS 105.3/105.4 OF THE RESIDENTIAL CODE OF OHIO.

WHEREAS, the Building Department has requested that Section 1309.01, entitled "Permit Required", be amended to make it consistent with Administrative Sections 105.3/105.4 of the Residential Code of Ohio; and

WHEREAS, this Council desires to make that change;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:

SECTION 1. That Part Thirteen, C.O.S., entitled "Building Code", particularly Title One thereof, entitled "Administration", specifically Chapter 1309 thereof, entitled "Building Permits and Fees", specifically Section 1309.01 thereof, entitled "Permit Required", which formerly read:

**1309.01 PERMIT REQUIRED.**

(a) No person, firm or corporation shall engage in or represent itself as engaging in work where approvals are required in accordance with The Ohio Administrative Code; Chapter 4101:1 and Chapter 4101:8; until a permit has been obtained and the applicable fee paid to the Building Department.

(b) A permit under which no work is commenced within 180 days is expired. A permit which has expired or under which no work has commenced or will be done may be refunded up to seventy-five percent (75%) of the permit fee. The refund may be applied to a new permit if the new permit is applied for within one year of the date the original permit was issued. Requests for refund or reapplication of permit fees shall be made by the original applicant in writing to the Building Department.

(c) If the City objects to any portion of the plans or specifications, it shall, in instances where construction would not be affected by the ultimate resolution of the objection, issue conditional approval to proceed with construction up to the point where there is objection. If only conditional approval is given, the City shall specify therein its reasons for denial of full approval. The giving of conditional approval is a conditional license to proceed with construction up to the point where construction or materials objected to by the City are to be incorporated into the building. No construction shall proceed beyond this point without the prior approval of the City committee or board which conducts an adjudication hearing relative to the portions of the plans and specifications to which there is objection. That part of the conditional license issued by the City in which it states its objections to portions of the plans and specifications is an adjudication order denying the issuance of a license. "

be, and the same is, hereby amended to read henceforth as follows:

**“1309.01 PERMIT REQUIRED.**

(A) No person, firm or corporation shall engage in or represent itself as engaging in work where approvals are required in accordance with The Ohio Administrative Code; Chapter 4101:1 and Chapter 4101:8; until a permit has been obtained and the applicable fee paid to the Building Department.

(B) Expiration: A permit is invalid if construction, erection, alteration, or other work upon the building has not commenced within twelve months from the date the permit is issued.

One extension shall be granted for an additional twelve-month period if requested by the owner at least ten days in advance of the expiration of the permit.


(C) Extension: If in the course of construction, work is delayed or suspended for more than six months, the permit is invalid. Two extensions shall be granted for six months each if requested by the owner at least ten days in advance of the expiration of the permit.”

SECTION 2. That all other terms and provisions of Chapter 1309, entitled “Building Permits and Fees”, C.O.S., not amended herein, be, and the same are, hereby reaffirmed as if fully reappearing herein.

SECTION 3. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees or subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 4. That this Ordinance was adopted pursuant to Section 4.11, Charter, and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

ADOPTED BY COUNCIL 1/12/17

ATTEST   
Bonnie J. Emahiser  
CLERK OF COUNCIL

  
Mike Rasor  
PRESIDENT OF COUNCIL

FILED WITH MAYOR 1/13/17

APPROVED \_\_\_\_\_  
Sara Kline  
MAYOR

FILED WITH CLERK 1/18/17

APPROVED AS TO FORM

EFFECTIVE DATE 2/17/17

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Amber K. Zibritosky  
LAW DIRECTOR