

VILLAGE OF OBETZ
RECORD OF ORDINANCES



ORDINANCE: 57-14

PASSED: November 10, 2014

AN ORDINANCE MODIFYING SECTION 1305.08 OF THE CODIFIED ORDINANCES RELATED TO THE REFUSAL OF BUILDING PERMITS

WHEREAS, the Village of Obetz has numerous regulations including Zoning and Subdivision Regulations, the Housing and Property Maintenance Code, the Building Code, Erosion and Sedimentation Control Regulations, and Flood Damage Reduction Regulations, all of which are designed to preserve property values and ensure that development contributes to the overall quality of the Village; and,

WHEREAS, homeowners' associations and condominium associations often adopt deed restrictions that create additional regulations; and,

WHEREAS, these restrictions are created to also preserve property values and protect property owners; and,

WHEREAS, some property owners continue to violate the Village's regulations designed to protect the community; and,

WHEREAS, the Village desires refuse Building Permits to property owners violating the Village's Codified Ordinances; and,

WHEREAS, the Village desires to ensure that property owner's seeking Building Permits are also following the restrictions of the homeowners' associations or condominium association when applicable.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO, THAT:

Section 1: Section 1305.08 of the Codified Ordinances is hereby amended to read as follows:

1305.08 REFUSAL OF BUILDING PERMITS.

The Building Inspector shall refuse a building permit to an applicant who has:

- (a) Outstanding and unpaid judgments against them arising from or growing out of failure to perform work under a construction contract or failure to perform work in good and workmanlike manner;
- (b) Previously obtained a building permit by making material misrepresentation.
- (c) Unlicensed list contractor.
- (d) Previously performed work on a premises knowing that the permit therefor was obtained by material fraudulent misrepresentations.
- (e) Failure to comply with a written directive from the Village pertaining to building, site improvement or landscaping or any other violation of Village ordinances.

- (f) Failed to obtain approval from the homeowner's association or condominium association prior to submittal of plans to the Building Department. Written approval from the homeowner's association or condominium association must be provided to the Building Inspector with the Permit Application.
- (g) Violations of any of the Village's Codified Ordinances including but not limited to, Zoning and Subdivision Regulations, Housing and Property Maintenance Code, Building Code, Erosion and Sedimentation Control Regulations, and Flood Damage Reduction Regulations. The Building Inspector may, instead of withholding or denying a Building Permit, grant such Permit subject to the condition that the violation be corrected. If the violation is not corrected in the timeframe established by the Building Inspector, the Building Permit will be immediately void.

Section 2. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 10 day of November, 2014.

ATTESTS:

Stacey Boumis
Stacey Boumis, Clerk

D. Greg Scott
D. Greg Scott, Mayor

Michael R. Flaherty
Michael Flaherty, President Pro-Tem

APPROVED AS TO FORM:

Eve M. Ellinger
Eve M. Ellinger, Esq. Director of Law

CERTIFICATION OF PUBLICATION

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 57-14 was duly posted at 4:00 PM (time) on the 13 day of November, 2014, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.



Stacey Boumis
Stacey Boumis, Clerk

11/14/14
Date