

Village of Mantua, Ohio
ORDINANCE 2019-39
(amended)

AN ORDINANCE AMENDING THE ZONING ORDINANCES OF THE VILLAGE OF MANTUA IN ORDER TO IMPLEMENT A PROGRAM OF RESIDENTIAL RENTAL UNIT INSPECTIONS .

WHEREAS, the Planning Commission has developed a series of safety requirements and an inspection program for residential rental units within the Village, and has recommended their inclusion in the Mantua Village Zoning Code; and

WHEREAS, This Council has determined that such regulations are necessary for the safety and welfare of the inhabitants of residential rental dwellings in the Village.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Mantua, a majority or more of the members elected thereto concurring that:

SECTION 1. Chapter 1307 of the Codified Ordinances of the Village of Mantua is hereby enacted as set forth in “Exhibit A”, attached hereto and incorporated herein by reference.

SECTION 2. This Council further adopts the “Application for Triennial Residential Rental Permit” as set forth in “Exhibit B”, attached hereto and incorporated herein by reference.

SECTION 3. Initial Implementation of the Residential Rental Unit Inspection program shall occur over a thirty-six month period, by randomizing a list of the existing residential rental housing stock in the Village. The Rental Inspector shall notify each Rental Property Owner of their location(s) on the list. Newly created residential rental properties shall be added to the list and scheduled for inspection immediately. Subsequent triennial inspections shall occur every thirty-six months after the initial inspection pursuant to this section.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance shall become effective after public hearing and its passage by Council, at the earliest period allowed by law.

PASSED IN Council this 19th day of November, 2019.

1st Reading: September 3, 2019

Linda Clark, Mayor

2nd Reading: October 15, 2019

3rd Reading: November 19, 2019

ATTEST:

Public Hearing: November 19, 2019

Jenny August, Clerk

Effective: December 19, 2019

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I hereby certify the above Ordinance was duly posted at the five (5) public notice locations in the Village of Mantua, Ohio on the _____ day of _____, 2019.

Jenny August, Clerk

Approved as to Legal Form:

Michele Stuck, Solicitor

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"Exhibit A"

CHAPTER 1307

Residential Rental Unit Requirements and Inspections

1307.01 **PURPOSE**

(a) Minimum Standards. The purpose of this code is to provide minimum standards of life, limb, health, property, and environment and for the safety and welfare of the consumer, the general public, and the occupants of residential rental dwellings regulated by this code. It is also intended to establish minimum standards necessary to make all existing and future residential rental dwelling structures safe, sanitary, free from fire and health hazards, fit for human habitation and beneficial to the public welfare; to establish minimum standards governing the maintenance of residential rental dwelling structures in such condition as will not constitute a blighting or deteriorating influence on the neighborhood and the community; to fix responsibilities for owners of residential rental dwelling structures with respect to sanitation, repair and maintenance; to authorize the inspection of residential rental dwelling structures; to establish enforcement procedures; to authorize the vacation or condemnation of dwelling structures unsafe for human habitation and to fix penalties for violations.

1307.02 **PERMIT REQUIRED**

- (a) No person shall rent, lease, or offer for rent or lease, any residential unit or property without first obtaining a permit therefore.
- (b) A residential rental permit shall be issued by the Rental Inspector if:
 - (1) An application is submitted indicating the owner, agent, tenants and rental unit address for which application is sought, consent to inspect, and any other pertinent data sought by the Rental Inspector.
 - (2) An inspection is performed on the property sought to be permitted and all violations disclosed thereby are corrected by the applicant.
 - (3) All applications and inspection fees are paid.

1307.03 **STANDARDS AND REQUIREMENTS**

- (a) Each rental dwelling unit shall be a complete living unit, containing facilities for entry, living, sleeping, cooking, eating, restroom and bathing which are separate from those of any other dwelling unit on the premises.
- (b) Each such unit shall be equipped with at least one operational smoke detector per level of living space, outside of sleeping areas, and in vicinity of electrical panel, furnace and water heater; one carbon monoxide detector and one fire extinguisher per level of living space;
- (c) There shall be two separately accessible entrances/exits per unit, one of which may be a fire escape, including two-story folding residential ladders which easily deploy from standard window sills.
- (d) All windows shall be operable as originally intended. One window per room must be accessible.
- (e) Heat, electricity, water and sewer must be available at the premises and in working order.
- (f) FOUNDATION: All foundation walls shall be maintained plumb and free from open cracks and breaks, and shall be kept in such condition so as to prevent entry of rodents

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and other pests.

- (g) **STRUCTURAL SUPPORTS:** Sill plates, floor joist, bridging and main support beam shall be free of damage, deterioration and deflection. Support posts and jackposts shall be properly installed and free of deterioration. Masonry support piers shall be free of damaged, deteriorated, or missing bricks, and deteriorated mortar joints. Inspection of crawl spaces shall be at Inspector's discretion.
- (h) **ELECTRICAL:**
 - (1) **Main Panel:** Main disconnect must be identified, and all fuse or circuit breaker functions labeled. System must be properly grounded and sub-panels properly bonded. Main and sub-panels shall not have loose or missing covers, missing knockouts, or improper/missing fittings for conductors entering panels.
 - (2) **Wiring:** Wiring shall not have improper taps, splices, or deteriorated insulation.
 - (3) **Lights, Switches, and Receptacles:** Proper lighting is required in the main panel area, furnace area, and laundry area. All lights shall be fully operational without the use of an adapter. All lights, switches, and receptacles shall be properly installed, free of physical damage, and function correctly. Required light globes shall be maintained. The following appliances require a three-prong grounded receptacle: washing machines, refrigerators, freezers, microwaves, and air conditioning units. Use of an adapter and/or extension cord for these appliances is prohibited. Missing or damaged switch or receptacle faceplates shall be replaced. Loose faceplates shall be properly secured. Excessive or improper use of extension cords is prohibited.
- (i) **PLUMBING:** All plumbing fixtures, to include faucets, sinks, showers, tubs, and toilets, shall be fully operational, free of leaks, and properly installed. Water supply lines, traps, and drain lines shall have proper supports and be free of corrosion, leaks, and improper fittings. Missing or broken floor drain grates must be replaced. Laundry tub, sink, toilet, and bathtub shall be free of broken or missing pieces and cracks.
- (j) **HOT WATER TANK:** Gas line shall have manual shut-off valve and dirt leg. Temperature and Pressure (T&P) valve and discharge pipe must be properly installed. T&P valve to have a maximum setting of 150 psi and 210 degrees Fahrenheit. Discharge pipe shall be ¾ inch and extend to within 4-6 inches of the floor. Draft hood and pilot cover shall be secure. Proper material, pitch and connections required for flue pipe. Flue pipe shall be sealed at the chimney. Shut-off valve is required on cold water supply line of tank.
- (k) **HEATING:** Manual shut-off valve and dirt leg required. T&P valve and discharge pipe required for boilers. All required covers shall be in place and secure. Proper material, pitch and connections required for flue pipe. Flue pipe shall be sealed at the chimney. Boiler sight gauge and fittings shall be free of damage, deterioration and leaks. Pipe insulation shall be sound and free of deterioration. Radiators shall have operable control valve and no leaks. Gas lines shall be of approved pipe and fittings, and properly supported. Out of use gas lines shall be properly capped or removed. Each gas appliance shall have manual shut off valve. Gas fired heating equipment and dryers shall be properly vented to the outside. No heating equipment or appliance requiring room air for combustion shall be located in any bedroom, bathroom, or any room used for sleeping.

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Hot air furnace shall have clean and present air filter and sound ductwork. Portable kerosene heaters are prohibited.

- (l) **INCINERATORS:** Use of incinerators is prohibited. If present, gas line is to be disconnected and capped, the flue pipe removed, and the flue opening at the chimney properly sealed.
- (m) **CHIMNEY AND FIREPLACE:** Shall be free of deteriorated mortar joints and loose, damaged, deteriorated, or missing bricks. Chimney clean out and ash pit, if present, shall have operable and properly sealed doors. Woodburning fireplace or stove shall have operable damper. Hearth shall be free of loose, damaged, or missing tiles or grout. Gas logs shall have automatic and manual shut off valves and approval stamp. Gas igniters shall have a manual shut off valve.
- (n) **FLOORS, WALLS, AND CEILINGS:** Shall be free of loose, damaged, or missing floorboards, tiles, or floor covering. Bathroom floor shall be water resistant. Loose, flaking, and/or peeling paint, mold or water damage, on walls, ceilings, and trim shall be removed.
- (o) **DOORS:** Bedrooms and bathrooms are required to have doors, which shall fit into their frame, and latch closed. All entrance/egress doors shall be accessible and operable as originally intended.
- (p) Excessive accumulation of debris shall be removed.

1307.04 **ADMINISTRATION**

- (a) Owner of premises shall apply for an triennial Residential Rental Permit for each unit from the Rental Inspector.
- (b) Owner shall remit an application fee of \$100.00 per unit for each triennial permit which shall cover the cost of administration of the permit including inspection to be made prior to issuance. Any/each re-inspection required shall be subject to an additional fee of \$50.00.
- (c) Inspections shall be conducted by the Rental Inspector not less than once every three calendar years, with no less than two weeks notice to the owner and the occupant, to ensure compliance with the above.
- (d) Should the Rental Inspector be denied consent to enter a premises subject to this section, either by refusal or non-response of a person authorized to give consent, he shall be authorized to apply to a court of competent jurisdiction for an administrative search warrant authorizing entry in order to carry out the provisions of this section.
- (e) Failure to meet the basic safety standards set forth herein shall be grounds for denial or revocation of the triennial Residential Rental Permit by the Rental Inspector. A reasonable time period, as determined by the Rental Inspector, shall be allowed for correction of any violations and subsequent re-inspection.

1307.05 **PENALTY; EQUITABLE REMEDIES**

- (a) Whoever violates any of the provisions of this Chapter or fails to comply therewith or with any written notice or written order issued hereunder, shall be fined not less than one

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hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) or imprisoned not more than six (6) months, or both, and each day such violation occurs or continues and each violation shall constitute a separate offense.

- (b) Whoever causes or permits the continuation of any violation of this Chapter or fails to comply therewith or with any written notice or written order issued hereunder, subsequent to conviction therefore, shall be liable for further prosecution, conviction and punishment upon the same order or notice without the necessity of issuing a new order or notice, until full compliance has been had on such order or notice upon which the original conviction was had.

- (c) The imposition of any penalty shall not preclude the Solicitor from instituting an appropriate action or proceeding in a court of proper jurisdiction to enjoin, restrain, correct or abate a violation, or to prevent the occupancy of a building, structure or premises, or to require compliance with the provisions of this Chapter, or other applicable laws, ordinances, rules or regulations, or the orders or determinations of the Rental Inspector.