

ORDINANCE NO. 32-14

BY: **BRIAN DAY**
(By Request - City Engineer/Building Commissioner)

AN ORDINANCE TO AMEND CHAPTER 1713
"CERTIFICATES OF OCCUPANCY FOR
MULTIPLE DWELLINGS" OF THE CODIFIED
ORDINANCES OF THE CITY OF PARMA, AND
DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That Chapter 1713 "Certificates of Occupancy for Multiple Dwellings" of the Codified Ordinances of the City of Parma, is hereby amended to read as follows:

"CHAPTER 1713

Certificates of Occupancy for Multiple Dwellings **MULTIPLE DWELLING REGISTRATION**

- 1713.01 Certificate required.
- 1713.02 Issuance of certificate.
- 1713.03 Time for compliance.
- 1713.04 Posting of certificate.
- 1713.05 Fees.
- 1713.06 Transfer of certificate.
- 1713.07 Voiding of certificate.
- 1713.08 Condominiums.

1713.01 **CERTIFICATE REQUIRED.**

No owner, agent or person in charge of any dwelling structure which is used, or designed, or intended to be used, as a multiple dwelling, shall rent or lease such structure or any part thereof for residential occupancy unless the owner thereof obtains a certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** issued by the Code Official for such structure.

1713.02 **ISSUANCE OF CERTIFICATE.**

- (a) Application for a certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION**, as required by the provisions of this Code, and on forms supplied by the Code Official, shall be made by supplying the information and data to determine compliance with applicable laws, ordinances, rules and regulations for the existing use or occupancy or the intended use or occupancy. The Code Official shall require the submission of an affidavit stating such information and he or she shall cause a general inspection to be made of the structure or premises.
- (b) If it is found that a building or other structure is in compliance with the provisions of this Code and all other laws, ordinances, rules and regulations applicable thereto, the Code Official shall issue a certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** therefore stating:
 - (1) The street address or other identifying characteristic of the building or other structure.

- (2) The name and address of the owner and, if the owner does not reside on the premises, the name and address of the agent or person in charge of the building or structure.
- (3) The use district within which the structure is located.
- (4) The nature of the occupancy authorized.
- (5) That the building or other structure was found to be in compliance with the provisions of this Code.

Such certificates shall not be valid beyond the last day of the twelfth month following the date of issuance, unless renewed prior thereto in the same manner as required for issuance of the original certificate of ~~occupancy~~

MULTIPLE DWELLING REGISTRATION.

- (c) Copies of all applications and certificates of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** shall be kept on file by the Code Official as a public record.
- (d) The Code Official shall have the power to revoke a certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** if any false statement is made by the applicant in connection with the issuance of such certificate, or for noncompliance of a structure with the requirements of this Code, or if the owner, agent or person in charge of a structure refuses to comply with any provisions of this Code that are required to be observed by him or her.

1713.03 TIME FOR COMPLIANCE.

To and until one year from the effective date of this Code, upon discovery by the Code Official that application for a certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** has not been made for a dwelling structure, notice shall be given to the owner of such structure to apply for a certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** within fifteen days. Failure to so apply will be deemed to be a violation of this Code and will subject the owner of the structure to the legal action and penalties prescribed herein. One year from the effective date of this Code, any owner of a dwelling structure requiring a certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** shall have made application therefore or shall be subject to the legal action and penalties prescribed herein.

1713.04 POSTING OF CERTIFICATE.

The owner, agent or person in charge of any dwelling structure shall cause to be posted conspicuously at all times at the main entrance of such structure the certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** hereinbefore required.

1713.05 FEES.

An application for a ~~an~~ **AN ANNUAL** certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** shall be accompanied by a nonreturnable fee for any one mixed use or apartment building. The fee for buildings containing one to four dwelling units is ~~seventy five dollars (\$75.00)~~ **ONE HUNDRED DOLLARS (\$100.00)**. Fees for buildings with five to 50 units shall be ~~fifteen dollars (\$15.00) per unit.~~ **OR MORE DWELLING UNITS IS \$20.00 PER DWELLING UNIT** and shall not exceed the sum of one thousand dollars (\$1,000) per year. ~~Fees for buildings with 51 or more units shall be fifteen dollars (\$15.00) per unit for the first 50 units and thirteen dollars (\$13.00) per unit for all units in excess of 50 and shall not exceed the sum of one thousand dollars (\$1,000) per year.~~

1713.06 TRANSFER OF CERTIFICATE.

- (a) A certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** issued under the provisions of this Code shall be subject to transfer whenever either of the following conditions occurs:
 - (1) A change in the ownership of record; or
 - (2) A change in the agent or person in charge.

- (b) Application for transfer of a certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** shall be made on forms supplied by the Code Official not more than thirty days after such change has occurred. A fee of five dollars (\$5.00) shall be paid for each application for transfer.

1713.07 VOIDING OF CERTIFICATE.

A certificate of ~~occupancy~~ **MULTIPLE DWELLING REGISTRATION** issued under the provisions of this Code shall become null and void whenever a change occurs in the use or occupancy, in whole or in part, of a building, structure or premises without a permit first having been obtained for such change. Application for a new certificate of occupancy shall be made not more than thirty days after such change has occurred.

1713.08 CONDOMINIUMS.

No owner of an existing multiple dwelling shall convert such dwelling into a condominium until he or she has complied with the requirements of Section 1159.04 of these Codified Ordinances and with all applicable provisions of this Code and has received a certificate of occupancy issued by the Code Official after approval from Council.

No renewal of such certificate shall be required as long as such dwelling conforms to the provisions of Ohio R.C. Chapter 5311."

Section 2. That Chapter 1713 "Certificates of Occupancy for Multiple Dwellings" of the Codified Ordinances of the City of Parma, as it existed heretofore, is hereby repealed.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order for these amendments to take place at the earliest possible time, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO