

ORDINANCE NO. 27-79

An ordinance providing for the razing of buildings in the City of North Canton, Ohio, and the requirements and procedure for obtaining a permit therefor, and amending Part Thirteen of the Code of Ordinances of the City of North Canton by the addition of Chapter 1303, and declaring it to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. That Part Thirteen --Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1303 Razing of Buildings, Section 1303.01 Obtaining a Permit From the City to read as follows:

"CHAPTER 1303
RAZING OF BUILDINGS

1303.01 OBTAINING A PERMIT FROM THE CITY.

- (A) That no person, firm or corporation shall commence or proceed to raze, demolish or tear down any building, or any part thereof of any size where any portion of the street, sidewalk, or alley is to be blocked or obstructed and also no person, firm, or corporation shall raze or demolish any building by fire of any dimension whatsoever without obtaining a permit from the City of North Canton, said permit to be issued by the Fire Department upon application by the owner and/or contractor, person, firm or corporation in charge of razing said building. Before a permit will be issued to any person, firm or corporation for the razing, demolishing or tearing down of any building or part thereof the application for the permit shall be accompanied by a certified check of \$1,000.00 or a bond of \$1,000.00 made payable to the City of North Canton, Ohio. In addition, before said permit is issued, the person, firm or corporation shall execute an indemnification agreement to be approved by the City of North Canton Law Department in favor of the City of North Canton, Ohio, so as to save and hold said City harmless against any and all liabilities, claims, losses, damages, costs and expenses which may in any way accrue against the City because of negligence of the applicant or failure to comply with the provisions of this ordinance by such applicant or his, their or its agents, servants or employees. As a further condition, said person, firm or corporation shall provide proof of insurance to the City of North Canton, Ohio, as to amount and coverage, which proof shall be subject to the approval of the Law Department of the City of North Canton, Ohio.
- (B) This section shall not apply to any person razing, demolishing or tearing down his own building, or part thereof, if he does the work himself and provided such building is not within fifteen (15) feet of any public or private land, building or right-of-way

providing such razing, demolishing or tearing down is not done by fire, and providing said building does not consist of more than 200 square feet."

Section 2. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1303 Razing of Buildings, Section 1303.02 Barricades to read as follows:

"1303.02 BARRICADES.

Whenever a building is being torn down, razed or demolished within fifteen (15) feet of a public street or sidewalk, barricades of a type specified by the Division of Permits and Inspection shall be erected and lights provided at such barricades at night."

Section 3. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1303 Razing of Buildings, Section 1303.03 Conditions of Razing to read as follows:

"1303.03 CONDITIONS OF RAZING.

Whenever a person, firm or corporation razes, demolishes or tears down any building, if such building has concrete basement floors, these floors must be broken up for drainage. All sanitary sewers must be plugged at the outlet with concrete and approved by the City Engineer. In addition, all other public utility services shall be cut and discontinued. There shall be no back filling of basements with any combustible materials and there shall be no burning on the site unless authorized by the North Canton Fire Department and controlled by the Fire Department. No rubbish, debris, lumber, glass or other materials from a razed or demolished building shall be allowed to remain on the lot or tract of land longer than ten (10) days after such building has been razed or demolished. There shall be no storing of salvage materials on City property unless authorized by the Director of Administration. (There shall be no storing of material on private property unless for construction of another structure within sixty (60) days."

Section 4. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1303 Razing of Buildings, Section 1303.04 Description of Proposed Work to read as follows:

"1303.04 DESCRIPTION OF PROPOSED WORK.

That such application for permit shall describe briefly the description of proposed work and shall provide such additional information as may be required by the Division of Permits and Inspection and for an intelligent understanding of the proposed work. A pre-job conference with the Police Department, Fire Department, Utility Companies, Water and Sewer Departments, shall be held if deemed necessary by the Division of Permits and Inspection."

Section 5. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1303 Razing of Buildings, Section 1303.05 Action Upon Applications In The Order Received to read as follows:

"1303.05 ACTION UPON APPLICATIONS IN THE ORDER RECEIVED.

That the Division of Permits and Inspection shall act upon applications referred to in Section 1303.04 in the order received and without unnecessary delay. The Division of Permits and Inspection shall be given not less than forty eight (48) hours after filing of an application for a permit to raze, demolish or tear down a building (excluding Sundays and holidays) to inspect said buildings and structures and if it is found that the work can be executed safely in the manner proposed, a permit shall be issued therefor."

Section 6. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1303 Razing of Buildings, Section 1303.06 Extension of Permit to read as follows:

"1303.06 EXTENSION OF PERMIT.

That any permit issued under the provisions of this ordinance expires thirty (30) days after the date said permit is issued, unless for a good cause shown, the Division of Permits and Inspection extends the time of such permit. Provided, however, that there shall be no more than one extension and said extension shall not be for a period in excess of thirty (30) days. The fee for a permit which has expired shall not be refunded."

Section 7. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1303 Razing of Buildings, Section 1303.07 Fees for Permits to read as follows:

"1303.07 FEES FOR PERMITS.

That the fees for permits to raze a building or structures or any part thereof, shall be in the amount stated as follows:

- A. Permit for a structure comprised of more than a total of 200 sq. ft. of floor or ground area and classified as not having been a dwelling or commercial building.....\$ 10.00
- B. Permit for a Single Dwelling..... 25.00
- C. Permit for a Duplex or Double House... 35.00
- D. Permit for a Business, Commercial, Public or Semi-Public Building..... 75.00

(Apartment buildings accommodating more than two (2) families shall be considered commercial buildings for the purpose of this ordinance.)"

Section 8. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and peace of the City of North Canton, Ohio, and immediately necessary for the timely establishment of the procedures and requirements for the razing of buildings, inasmuch, as the prior legislation authorizing said procedures has been repealed, and shall take effect and be in force upon its approval by the Mayor.


North Canton, Ohio
Adopted: February 12, 1979


MAYOR

SIGNED: , 1979

ATTEST:


CLERK OF COUNCIL

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CLERK OF COUNCIL