

# RECORD OF ORDINANCES

## VILLAGE OF MCCONNELSVILLE

Ordinance No.                      Passed the        day of                      20

### **ESTABLISHING A DEMOLITION OF BUILDINGS AND STRUCTURES AND PERMIT PROCESS ORDINANCE OF THE VILLAGE OF MCCONNELSVILLE.**

**Whereas**, the demolition of buildings and structures that have not had utilities such as gas, electric, water, and sewer properly disconnected could present a significant risk to public health and safety, and failure to restore the site after demolition may lead to the creation of a nuisance; and

**Whereas**, the Council for the Village of McConnelville has recommended the establishment of a demolition permit process.

**NOW, THEREFORE**, be it be ordained by the Village of McConnelville, County of Morgan, State of Ohio, that,

#### **Section One. PERMIT REQUIRED**

- (a) No person shall demolish any building or structure or facility over six hundred (600) square feet in size and connected to utilities, without securing a permit in advance from the Village Administrator's Office.
- (b) A Demolition Permit, attached as Exhibit A, and incorporated herein by reference, shall be utilized. The Village Administrator may revise the Permit Form from time to time and in keeping with the provisions of this Ordinance, as the Village Administrator deems necessary or appropriate.

#### **Section Two. DISCONNECTION OF UTILITIES**

As a condition of receiving a demolition permit, the owner, agent or person in control of a building or structure to be demolished shall notify, in writing, the appropriate utilities or public authorities serving the building or structure regarding the person's intentions to demolish the building or structure. Such notice shall include a request that the utilities be disconnected. The owner, agent or person in control of the building or structure to be demolished, or the utility company, shall provide evidence to the Village that the utilities have been discontinued. The permit will not be issued until all proper verification has been received. Proof of verification that services have been discontinued may be evidenced on the application for a demolition permit.

#### **Section Three. SITE CONDITIONS**

- (1) During the course of the demolition activity, the owner, agent or person in control of the property subject to the demolition shall take steps to ensure the safety of the general public including dust and Asbestos Emission Control, as governed by Ohio Administrative Code Section 3745-20). The proposed steps shall be in compliance with generally accepted building industry safety practices as may be reflected in building codes applicable in the Village and State of Ohio.
- (2) Following the completion of demolition work, the owner, agent or person in control of the property or facility (industrial, commercial, public, and institutional) subject to the demolition activity shall provide for the restoration of the site so as to address safety and nuisance concerns. All such sites shall be brought to a level or other grade determined to be appropriate by the Village Administrator or designee.
- (3) All surface irregularities, wells, septic tanks, basements, cellars, sidewalks, vaults or coal chutes remaining after demolition shall be filled with compactable materials approved by the Village Administrator or designee.
- (4) The party securing the demolition permit shall provide for the disposal of the debris associated with the demolition and/or rehabilitation work including dust control

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during demolition. The debris must be placed in an appropriate container for removal by a private contractor, or another approved arrangement shall be made for the disposal of the debris on at least a weekly basis. No property owner or permit holder shall permit the non-containerized accumulation of demolition debris on any property in the Village for a period in excess of seven (7) calendar days. All debris and material associated with the demolition work must be removed from the property.

- (5) All sanitary sewer leads that served the subject demolished building or structure must be effectively plugged at the property line, or as may be required by the Village administrator or designee. Applicants securing the demolition permit who choose to permanently terminate the water and/or sanitary sewer service must follow the guidelines of the McConnelssville Village Abandonment Procedures.
- (6) As soon as weather permits, the site shall be restored (including the application of topsoil if necessary to ensure growth). Sod, grass seed or other ground cover material shall be installed to address soil erosion control. The Village Administrator or designee may require that straw or mulch material be placed on the site that is seeded to prevent erosion and enhance the likelihood of successful regrowth.

#### ***Section Four. PERMITTED HOURS OF DEMOLITION***

Demolition activity shall be permitted between the hours of 7:00 A.M. and 9:00 P.M. Monday through Saturday only.

#### ***Section Five. REQUIRED NOTIFICATION OF NEIGHBORING PROPERTIES***

Applicants who receive a demolition permit shall provide forty-eight (48) hours advance written notification to all abutting properties prior to commencement of demolition.

#### ***Section Six. TIME LIMIT FOR PERMIT***

The party receiving the demolition permit must complete the demolition activity, including site restoration, within thirty (30) calendar days from the receipt of the permit. The time limit may be extended at the discretion of the Village Administrator. The petitioner must provide evidence to show that extenuating circumstances prohibited the completion of the demolition work in the thirty (30) day time period.

#### ***Section Seven. DEMOLITION PERMIT FEE***

The fee for the issuance of a demolition permit shall be Twenty-five dollars (\$25).

#### ***Section Eight. PENALTY***

Whoever violates any provision of this Ordinance is guilty of a minor misdemeanor and shall be fined not more than one hundred fifty dollars (\$150) for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

#### ***Section Nine. EFFECT***

That is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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*Ordinance No.* \_\_\_\_\_ *Passed the* \_\_\_\_\_ *day of* \_\_\_\_\_ *20*

This ordinance will be in full force and effect at the earliest time permitted by law.

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
John W. Finley  
Mayor

Attest:

\_\_\_\_\_  
Ellen M. Hemry  
Fiscal Officer