

ORDINANCE NO. 14-04  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Douglas C. Cline ON THE  
20<sup>th</sup> DAY OF December, 2004.

AN ORDINANCE AMENDING THE CENTERVILLE MUNICIPAL CODE, CHAPTER 1422 TO ADOPT THE RESIDENTIAL CODE OF OHIO FOR ONE, TWO AND THREE FAMILY DWELLINGS 2004 EDITION, INCLUDING APPENDIX J AND LOCAL AMENDMENTS.

WHEREAS, The City of Centerville wants to remain consistent in code enforcement with Montgomery County and other local building departments, and

WHEREAS, All local building departments have agreed to adopt the Residential Code of Ohio for One, Two and Three Family Dwellings 2004 edition, including Appendix J and local amendments.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That Chapter 1422.01 be amended as follows with the bracketed portions deleted and the underlined portions added:

- (a) Pursuant to Section 5.06 of the City Charter, that certain building code known as the [1999 OHIO RESIDENTIAL CODE For One, Two and Three Family Dwellings, including Appendix C] Residential Code of Ohio for One, Two and Three Family Dwellings 2004 Edition, including Appendix J and local amendments, save and except such portions of such code as may be hereinafter deleted or amended, is hereby adopted as the official building code for the City for the purpose of establishing rules and regulations concerning construction, alternation, repair, addition to and occupancy of nonindustrialized one, two and three-family dwellings in the City.

Section 2. That Chapter 1422.02 be amended as follows with the bracketed portions deleted and the underlined portions added:

- (a) In the event of a conflict between any of the provisions of the [Ohio Residential Code] Residential Code of Ohio, as adopted in Section 1422.01, and a provision of any local ordinance, resolution, rule or regulation, the local provisions shall control.
- (b) The event of a conflict between any of the provisions of the [Ohio Residential Code] Residential Code of Ohio and a provision of State law, the provisions of State law shall control.
- (c) In the event of a conflict between any of the provisions of the [Ohio Residential Code] Residential Code of Ohio and a provision of any other standard or technical code adopted by the City by reference, the provision that establishes the higher or stricter standard shall control

Section 3. That Chapter 1422.03 be amended as follows with the bracketed portions deleted and the underlined portions added:

The [Ohio Residential Code] Residential Code of Ohio, as adopted in Section 1422.01, is hereby amended as follows:

- (a) Flood Hazards. See Chapter 1462 of this Building and Housing Code.
- (b) Unsafe Buildings. See Title Eight - property Maintenance Code, of this Building and Housing Code.
- (c) Private Sewage Disposal Systems.
  - (1) Contents prohibited above ground. No privy vault, cesspool, septic tank, public or private sewer or drain receptacle for sewage or excreta shall be established, constructed, maintained and used, or permitted to remain and be used, so that the liquid or solid substances contained therein or intended to be contained therein shall be permitted to reach the surface of the ground or any street or gutter in the City.
  - (2) Plan approval; inspections. No privy vault, cesspool, septic tank, public or private sewer or drain receptacle for sewage or excreta shall be established or constructed in the City unless and until plans and specifications therefor have been submitted to and approved, in writing, by the County Health Commissioner. When the same has been constructed, it shall not be used for such purpose until there has been a final inspection and written approval made by the County Health Commissioner and until the same has been filed with the City Engineer.

Section 4. This Ordinance shall become effective at the earliest date allowed by law.

PASSED THIS 20<sup>th</sup> day of December, 2004.

C. Mark Kuper  
Mayor of the City of Centerville, Ohio

ATTEST:

Marilyn M. Saughel  
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio hereby certifies the foregoing to be a correct copy of Ordinance No. 14-04, passed by the Council of the City of Centerville, Ohio on the 20<sup>th</sup> day of December, 2004.

Marilyn M. Saughel  
Clerk of Council

Approved as to form, consistency  
with existing Ordinances, the Charter  
and Constitutional Provisions.

Department of Law  
Scott A. Liberman  
Municipal Attorney