

WALNUT TOWNSHIP TRUSTEES

RESOLUTION 14 - 2020

Whereas the Board of Township Trustees hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in open meetings of this Board of Township Trustees on February 4, 2020, June 2, 2020, July 7, 2020, August 4, 2020, September 1, 2020, and that all deliberations of this Board of Township Trustees and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code, and;

Whereas at its meetings on June 2, 2020 and August 4, 2020, the Board did hold public hearings regarding the adoption of a Property Maintenance Code pursuant to Section 505.75(B)(1) of the Revised Code.

Therefore, be it resolved by the Board of Trustees of Walnut Township:

Walnut Township does adopt a Property Maintenance Code utilizing the 2018 International Property Maintenance Code (IPMC), along with the Addendum to the IPMC with additional provisions specific to Walnut Township.

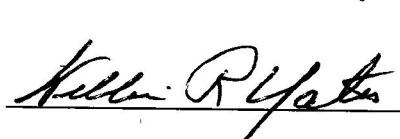
Further, any lands currently in CAUV, or eligible for CAUV, as well as all contiguous lands, including but not limited to homestead, woodlots, grain, equipment storage, etc. owned by or rented by the same individual or entity shall be excluded from the application, coverage, liability or enforcement of this resolution.

Further, Walnut Township shall adopt a priority-based enforcement of the IPMC along with the Addendum. This will be accomplished by the hiring of a Property Maintenance Inspector and referring violations to the Law Director's Office of the City of Lancaster for further review and potential prosecution.

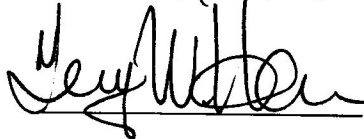
Motion for adoption made by Horn, Seconded by Yates, this 1st day of September, 2020.

This Resolution was carried by the following VOTE:

Yeas: 3 Nays: 0 Abstentions: 0



Williams R. Yates, Chairman

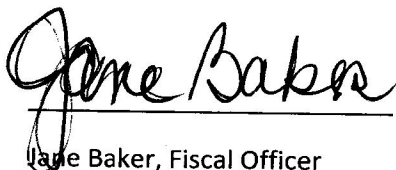


Terry W. Horn, Vice Chairman



Douglas G. Leith

Certified by:



Jane Baker, Fiscal Officer

Walnut Township, Fairfield County Ohio

Addendum to the:

2018 International Property Maintenance Code (IPMC)

Reference Township Resolution 14-2020

Adopted 9/1/2020

Effective 10/1/2020

The Township will enforce this portion of the IPMC:

1. Chapter 3 “GENERAL REQUIREMENTS” on a *priority enforcement basis*.

The Township will also enforce the Additional Provisions found in this Addendum on a *priority enforcement basis*.

The following chapters shall be included as reference:

1. Chapter 1 – “SCOPE AND ADMINISTRATION”
2. Chapter 2 “DEFINITIONS”
3. Chapter 8 – REFERENCED STANDARDS”
4. APPENDIX A – “BOARDING STANDARD”

The Township will **NOT** enforce these portions of the IPMC:

1. Chapter 4 – “LIGHT, VENTILATION, AND OCCUPANCY LIMITATIONS”
2. Chapter 5 – “PLUMBING, FACILITIES AND FIXTURE REQUIREMENTS”
3. Chapter 6 – ”MECHANICAL AND ELECTRICAL REQUIREMENTS”
4. Chapter 7 – “FIRE SAFETY REQUIREMENTS”

The following items shall amend the 2018 IPMC as adopted by Walnut Township.

1. Section 101.1 Name of Jurisdiction – **Walnut Township.**
2. Section [A] 103.2 Code official shall be appointed by **Walnut Township Board of Trustees.**
3. Section [A] 103.5 fees – Jurisdiction is to insert a *Fee Schedule* for activities and services performed by the department in carrying out its responsibilities under this code.

FEE SCHEDULE:

The Township will contract the services of a contractor to perform the work. All work performed by contract shall also include the hourly rate including benefits of the Code Official who shall act as the Administrator of the work. In addition, if deemed necessary by the Township, the cost of law enforcement and or security personnel.

4. Section 106.3 Prosecution of violation. The local municipality is **Walnut Township, Fairfield County**.
5. Section 111 MEANS OF APPEAL – This section shall be omitted in its entirety.
6. Section 112.4 – Failure to comply (with stop work order). Any person who shall continue any work after have been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be referred to the Lancaster City Law Director for further review and possible criminal proceedings.
7. Section 304.14 Insect screens shall be in use from May 1st through September 1st.

***ADDITIONAL PROVISIONS to the:
Walnut Township, Fairfield County Property Maintenance Code.***

**SECTION 202
GENERAL DEFINITIONS**

Agriculture. Agriculture includes farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production. No part of the Walnut Township, Fairfield County Property Maintenance Code shall apply to any structures used for agricultural purposes.

Automobile parts. Includes any portion or parts of any motor driven vehicle as detached from the vehicle as a whole.

Collector's vehicle. A collector's vehicle as defined by O.R.C. Section 4501.01 is a junk motor vehicle for purposes of this section, regardless if it is licensed or unlicensed, if the collector's vehicle meets the definition of a junk motor vehicle as set forth herein.

Junk motor vehicle. Any motor vehicle which meets any three of the following requirements:

1. Is five years old or older;
2. Is extensively damaged, such as damage including but not limited to any of the following: missing wheels, tires, motor, or transmission;
3. Is not able to be legally operated upon a public street, road, or highway for any reason, whether mechanical, operational, or otherwise;

4. Does not have validly issued license plates and a valid registration which allows it to be operated legally upon public streets, roads, or highways;
5. Has a fair market value of fifteen hundred dollars (\$1,500) or less;
6. Is not running and not operable.

Motor vehicle. Any vehicle propelled or drawn by power other than muscular power, except motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, hole digging machinery, well-drilling machinery, ditchdigging machinery, farm machinery, and trailers designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less. ORC Section 4511.01 (B).

Motor vehicle in an inoperative condition. Includes any style or type of motor driven vehicle used or useful for the conveyance of persons or property which is unable to move under its own power due to defective or missing parts, and which have remained in such condition for a period of not less than 30 consecutive days.

Motor vehicle in the open. Not garaged or placed in a permanent enclosed building.

Motor vehicle unfit for further use. Includes any style type of motor-driven vehicle used for the conveyance of persons or property, which is in a dangerous condition, has defective or missing parts: or is in such a condition generally as to be unfit for further use as a conveyance.

Operable. Able to be started and driven under its own power.

Refuse. Embraces only such matter as was either in fact noxious or has been refused and abandoned by its owner as worthless.

Rubbish. Includes wire, chips, shavings, bottles, broken glass, crockery, tin, cast or wooden ware, boxes, rags, dead weeds, paper circulars, handbills, boots, shoes, ashes or any waste material other than garbage or offal.

Scrap metal. Includes pieces of or parts of steel, iron, tin, zinc, copper, aluminum, or any alloy thereof, whether covered with porcelain or any other material, whether intact or in parts, which has served its usefulness in its original form and can no longer be used or useful for its originally intended purpose.

Used building materials. Includes any materials, such as wood, stone, brick, concrete block, asphalt, blacktop, concrete, construction debris, or any composition thereof, used or useful in the erection of any building or structure, which have been used previously for such erection or construction, by the same persons or by any other person.

SECTION 302
EXTERIOR PROPERTY AREAS

302.10 Miscellaneous provisions.

- A. All exterior parts of every dwelling or structure, including exterior walls, parapet walls, decorative additions, chimneys and all other exterior structures, either above or below the roof line, shall be maintained in a safe condition, weather-tight and so as to resist decay or deterioration.
- B. Any dwelling, structure or accessory building whose exterior surface is bare, deteriorated, ramshackle, tumble-down, decaying, disintegrating or in poor condition shall be repaired or razed.
- C. All buckled, rotted or decayed walls, doors, windows, porches, floors, steps, railing trim and their missing members shall be replaced and put in good condition. All replacements shall match and conform to current design or be replaced completely.
- D. All exterior wood or unfinished surface shall be sealed and painted or the surface covered with other protective coating or treated to prevent rot and decay and to conform and match the existing paint or surface covering and original design or replacement thereof. All exterior walls and surfaces all be properly protected against the weather where such are defective or lack weather protection, including lack of paint or surface covering or have weathered due to lack of proper protective coating.
- E. Any dwelling structure or secondary or appurtenant structure whose exterior surface is deteriorated, decaying, disintegrating, or whose exterior surface has weathered with dirt and grime or has been impaired through the peeling or flaking of paint or other protective coating, and which exterior surfaces consist of an area of twenty-five percent (25%) or more of the external surface of the structure, shall be repaired, repainted or recovered with an approved protective coating or surface. All exterior surfaces shall be replaced or repaired in good condition preparatory to painting or coating. All bare exterior surfaces, which are flaking or crumbling shall be replaced or sealed in a good and workmanlike manner. All new or repaired bare surfaces shall be painted or coated. All exterior surfaces weathered with dirt or grime, which are peeling or flaking, shall be painted or covered with approved protective coating or surface.
- F. All repairs shall be completed in a timely manner consistent with accepted construction practices.
- G. All dwelling structures, accessory structures and the premises thereof shall be maintained free from sources of breeding, harborage and infestation by insects, vermin, rodents and feral cats.

- H. No owner, operator or resident agent of any premises shall maintain or permit to be maintained at or on the exterior areas of any such premises any condition which deteriorates or debases the appearance of the neighborhood, reduces property values in the neighborhood, adversely alters the appearance and general character of the neighborhood, creates a fire, safety or health hazard or which is a public nuisance. Such conditions include but are not limited to the following:
1. Broken or dilapidated fences, walls or other structures;
 2. Out-of-use or non-usable appliances and machinery;
 3. Rugs: rags or other materials hung on lines or in other places on the premises, which materials are not being used for general household or housekeeping purposes;
 4. Broken, dilapidated or unusable furniture, mattresses or other household furniture, broken glass, plastic materials, paints, miscellaneous coverings and or any other similar materials, placed at or on the premises in such a manner as to be patently unsightly, grotesque: use or offensive to the senses;
 5. No unregistered motor vehicles and/or junk vehicles shall be parked on any property for more than thirty (30) days;
 6. Lawns and landscaping shall be so maintained so as not to constitute a blighting or deteriorating effect on the neighborhood. Grass, brush, briars, burrs shall be maintained at a height not to exceed six (6) inches. This provision shall not apply to vegetable gardens, bushes, vines, shrubs or trees that produce food for human consumption;
 7. No building materials or materials, earth, sand or dirt intended for use in landscaping, gardening or construction shall be left standing open or covered upon any premises for a period of time exceeding two (2) months.
 8. New construction initiated on the exterior of any structure or surrounding yard, after the effective date of the adoption of this provision, shall be completed in accordance with the Township Zoning Resolution.

302.11 Storage of Certain Materials Declared a Nuisance. It shall be unlawful and is hereby declared a nuisance for any reason to store, place or allow to remain, automobile parts, motor vehicles in an inoperative condition, motor vehicles unfit for further use, refuse, rubbish, scrap metal, engine fluids, fuels in unapproved containers, paints, solvents, insecticides, herbicide's, other fluids and hazardous materials detrimental to the environment or used building materials, as defined herein, on any lot, lots, parts of lots, or parcel of land.

A. Order for Removal.

1. In the event of a violation of this section, the Code Official shall give notice to the owner, occupant or person having charge of the premises upon which the violation occurs to cease such violation. Such notice shall be in writing and shall be served upon the owner, occupant or person having charge of the premises either personally or at the usual place of residence of such owner, occupant or person having charge of such premises or by registered or certified mail addressed to such person's last known place of residence.

2. If the person served with the notice fails to cause such violation to cease within ten days of the date upon which the notice was issued, he or she shall be referred to the Lancaster City Law Director for further review and possible criminal proceedings, and a separate offense shall be deemed committed upon each day during or on which the violation occurs or continues beyond such ten-day period; provided that no additional notice of violation is required to be given.

B. Exception

1. It shall not be unlawful for any person to purchase used building materials and place or store them on any lot, lots parts of lots, or parcel of land, when they are to be used by the purchaser or owner in later construction on the same lot or any lot owned or controlled by such person;
 - a. Provided that such materials shall not remain on the lot, lots, parts of lots, or parcel of land, for a period of more than 30 days, unless the construction or erection planned for the use of the materials has commenced; and provided further that such materials are used or consumed in the construction or removed from the premises within a period of four (4) months from the time the materials are first placed on the lot, lots, parts of lots or parcel. It shall be unlawful for any person or persons to move any materials so stored or placed to another location within the Township for the purpose of avoiding the intent of this section, except that any such materials may be moved to another lot, lots, parts of lots or parcel of land, when the same have been sold to a bona fide purchaser for value for such purchasers own use.

302.12 Storage of junk vehicles and other motor vehicles. A junk motor vehicle left in the open for 72 hours is declared a nuisance and shall be abated in accordance with the provisions of this chapter.

A. Prohibitions.


1. No person shall willfully permit a junk motor vehicle to remain in the open on private property which the person owns, occupies, or controls after receipt of an order to remove the junk motor vehicle.
2. No person shall leave a junk motor vehicle for any period of time on private property to which such person does not have the right of possession without the authorization of the person having the right of possession of such property.

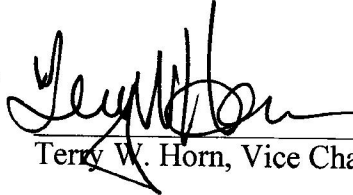
B. Exceptions

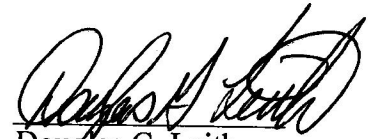
1. This chapter shall not apply to vehicles stored inside a garage, in a licensed towing service, in a licensed motor vehicle salvage facility, in a licensed scrap processing yard, in a licensed auto repair garage yard, in a licensed paint spray shop yard, in a licensed gasoline station yard, or in a licensed vehicle dealership yard, or any other lawful storage area not within the public view as prescribed by O.R.C. Section 4737.09.

C. Penalty

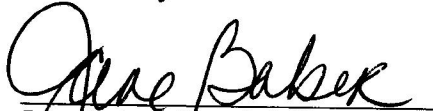
1. Whoever fails to remove a junk motor vehicle left in the open, after receipt of a proper order to remove the same, shall be referred to the Lancaster City Law Director for further review and possible criminal proceedings. Each junk motor vehicle left in the open in violation hereof shall constitute a separate offense: Every twenty (20) days that this section is violated shall constitute a separate offense.


William R. Yates, Chairman


Terry W. Horn, Vice Chairman


Douglas G. Leith

Certified by:


Jane Baker, Fiscal Officer