

CHAPTER _____**Exterior Property Maintenance Code for the City of Green**

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.01 PURPOSE

The purpose of this Exterior Property Maintenance Code for the City of Green is to protect the public health, safety, and general welfare as it pertains to premises and buildings used for residential, commercial, and industrial purposes. This protection is provided by:

- (a) Establishing minimum standards for maintaining residential, commercial and industrial environmental quality to preserve and to achieve an acceptable appearance for existing structures and premises; avoiding blighting effects of the substandard maintenance of structures and premises and its negative impact on the value of surrounding properties; and eliminating hazardous conditions.
- (b) Fixing the responsibilities of owners, operators and occupants of structures and their premises; and
- (c) Providing for administration, enforcement, and penalties.

.02 DEFINITIONS

All words used in this Chapter shall have their customary meanings, except those specifically defined in this section.

- (a) “Approved” means approved by the Code Inspector.
- (b) “Basement” means that portion of a building which is partly or completely below grade.
- (c) “Blight” means a property or structure which by reason of deterioration of site or other improvements, unsanitary or unsafe conditions, the existence of conditions which endanger life or property by fire or other causes, or any combination of such

factors and are detrimental to the public health, safety, ~~moral~~s, or welfare in its present condition or use.

- (d) “Building code” means the most current edition of the State of Ohio building code, the Summit County Building Department’s standardized code, or such other code as may be officially designated by the City of Green for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of all buildings and structures.
- (e) “Code Inspector” means the official who is in charge with the compliance and enforcement of this code, or any duly authorized representative.
- (_) “Compost” means a mixture of decayed organic material that is intended for fertilizer or conditioning of land.
- (f) “Condemn” means to adjudge unfit for occupancy.
- (g) “Dwelling unit” means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- (h) “Exterior property areas” means the open space on the premises and on adjoining property under the control of owners or operators of such premises.
- (i) “Garbage” means the animal or vegetable waste resulting from the handling, preparation, cooking, consumption of food; and food packaging.
- (j) “Guard” means a building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.
- (k) “Imminent danger” means a condition which could cause serious or life-threatening injury or death at any time.
- (l) “Junk or inoperable or unlicensed vehicle” means those vehicles that fit the criteria set forth in City of Green Ordinance 660.07.
- (m) “Owner” means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
- (n) “Person” means an individual, corporation, partnership, or any other group acting as a unit.

- (o) "Premises" means a lot, plot, or parcel of land including the buildings or structures thereon.
- (_) "Presentable appearance" means that which is reasonable and acceptable and in compliance with this code.
- (p) "Public nuisance" includes the following:
 - (1) The physical condition, or use of any premises regarded as a public nuisance at common law;
 - (2) Any physical condition, use, or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including but not limited to junk, inoperable or unlicensed vehicles, abandoned wells, shafts, basements, excavations, abandoned appliances, and unsafe fences or structures;
 - (3) Any premises designated as unsafe for human habitation or use;
 - (4) Any premises, which is manifestly capable of being a fire hazard or is manifestly unsafe or unsecured as to endanger life, limb or property;
 - (5) Any premises which is littered with rubbish or garbage;
 - (6) Any structure or building that is in a state of dilapidation, deterioration or decay; open, vacant, or abandoned; damaged by fire to the extent as not to provide shelter, in danger of collapse or failure, and is dangerous to anyone on or near the premises.
- (q) "Rubbish" means both combustible and non-combustible waste materials, including but not limited to, car parts, motors, and abandoned appliances. The term shall also include rags, cartons, boxes, lumber, rubber, leather, , tin cans, metals, mineral matter, glass, crockery, excessive yard waste, chronic dust conditions, and other similar materials, as well as the residue from the burning of wood, coal, and other combustible materials, but not to include compost.
- (r) "Strict liability offense" means an offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.
- (s) "Structure" means that which is built or constructed or a portion thereof.
- (t) "Workmanlike" means executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.
- (u) "Yard" means an open space on the same lot with a structure.

.03 ADMINISTRATION AND ENFORCEMENT

- (a) Application of Exterior Property Maintenance Code. This Code shall apply to all premises and structures within the City of Green used for or in conjunction with

human habitation, commercial purposes, or industrial purposes which are now or may become in the future substandard with respect to structure, maintenance or other similar conditions which otherwise constitute a public nuisance. The existence of such conditions, factors, or characteristics adversely affects public safety, general welfare and leads to the continuation, extension, and aggravation of blight and its attendant negative effect on surrounding property values. Adequate protection of neighboring properties and the general public requires the establishment of these property maintenance standards.

- (b) Compliance Required. Every portion of a building or premises used or intended to be used for residential, commercial, or industrial purposes, shall comply with the provisions of this Exterior Property Maintenance Code, irrespective of when such building has been constructed, altered or repaired, or premises occupied, except as hereinafter provided.
- (c) Conflict of Laws. In any case where a provision of this Code conflicts with any other provision of the Codified Ordinances or other regulation of the City, the provision which establishes the higher standard for the promotion and protection of the safety and health of the people, the more restrictive provision, shall control.
- (d) Existing Remedies. Nothing in this Code shall be deemed to abolish, impair, or prevent the execution of any existing remedies of the City of Green or its officers or agents related to the abatement of a public nuisance. The provisions in this Code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous or unsafe.
- (e) Separability. If any section, subsection, paragraph, sentence, clause, or phrase of this Code is declared invalid for any reason, such declaration shall not affect the remaining portions of this Code, which shall continue in full force and effect, and to this end, the provisions of this Exterior Property Maintenance Code are deemed severable.
- (f) Savings Clause. This Code shall not affect violations of any other resolution, ordinance, code or regulation existing prior to the effective date of this Exterior Property Maintenance Code, and any violations of such shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.
- (g) Historic Buildings. The provisions of this Code shall not be mandatory and may not be applicable for existing buildings or structures designated by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the Code Inspector to be safe and in the public interest of health, safety, and welfare.

.04 ENFORCEMENT OFFICIALS

- (a) Duties

1. The Director of Planning, which Department includes the Zoning and Code Inspection Division, shall oversee and assign the duties of administering and enforcing this Code to the Code Inspector.
 2. The Code Inspector will respond to resident complaints and/or apparent violations observed by the Code Inspector, under the direction of the Director of Planning. The Code Inspector may call upon any department, division, or contractor of the City for any assistance necessary to abate a violation of this Code.
 3. The Law Director will assist with any and all legal action that may become necessary due to non-compliance with this code. All requests for legal action to be taken must be forwarded to the Director of Law by the Code Inspector and/or the Director of Planning. No citation for violation shall be presented for prosecution without the approval of the Director of Law.
- (b) Inspections. In response to resident complaints and/or apparent violations observed by the Code Inspector, the Code Inspector will attempt to contact the property owner for the purposes of scheduling a mutually agreeable time to inspect the property by correspondence through mail or by door hanger. The Code Inspector will also visit the site and view the exterior of the property from the road right of way, or other property where the Code Inspector has explicit permission to enter. For the purpose of making such inspections, and upon showing appropriate identification, the Code Inspector is authorized to enter upon, examine, and survey during regular weekly business hours all commercial, and industrial property in the City of Green, but not residential property unless provided express permission to enter.
- (c) Notice of Violation. When the Code Inspector determines that there is a violation of the provisions of this Code, they may give notice of such violation to the owner and order compliance. Such notice and order shall:
- (1) Be in writing;
 - (2) Include a description of the real estate sufficient for identification;
 - (3) Include a statement of the violation(s) and the reason for issuing the notice.
 - (4) Include a correction order allowing a clearly identified time for the repairs and improvements required to bring the property into compliance with the provisions of this Code;
 - (5) State the right of the violator to file an appeal of the notice within twenty-one (21) days of receipt of the notice as required pursuant to section (d) Service below; and
 - (6) State that if no acknowledgment by the property owner is received upon the twenty-first (21st) day of delivery of the notification, and the violation is not corrected within the reasonable time stated in the violation, a citation to court may be issued unless there is good cause to extend the time to respond.

- (d) Service. A notice of violation shall be deemed to be properly served if one or more of the following methods are used:
- (1) By personal delivery to the owner or occupant of the premises or by leaving the notice at the premises with a person of suitable age and discretion; or
 - (2) By certified mail deposited in the United States Post Office, or commercial carrier service utilizing any form of delivery requiring a signed receipt, addressed to the person or persons responsible at his/their last known address, with return receipt requested. If a certified mail envelope is returned with endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Code Inspector. Service shall be deemed complete when the fact of mailing is entered of record, provided that the ordinary mail envelope is not returned by the postal authorities with an endorsement showing failure of delivery; or
 - (3) Upon proof of failure of service by (1) and (2) above, by posting a copy of the notice form in a conspicuous place on the premises found in violation and publishing a legal notice in a newspaper of general circulation in the City of Green. The legal notice shall identify the owners of the property, the last address, if known, of the owners, and parcel identification, the location and nature of the violation.

.05 APPEALS

- (a) Appeals Board. For purposes of this Code, the City of Green Board of Zoning Appeals ("Board") shall hear and decide all appeals permitted by this Code.
- (1) Board. Board composition and appointment shall be in accordance with the City of Green's Charter, Article VII, Section 7.6.
 - (2) Procedure. The Board shall follow its written rules of procedure for hearings and may adopt other rules of procedure not inconsistent with this Code. No member of the Board shall take part in any hearing or determination in which he or she has a personal or financial interest. Three (3) members of the Board in attendance at any meeting shall constitute a quorum.
 - (3) Authority. The Board shall hear all appeals relative to the enforcement of this Code, and by a concurring vote of the majority of its members may reverse or affirm, wholly or partly, or may modify the decision appealed from, and shall make such order or determination as in its opinion ought to be made. Failure to secure such concurring votes shall be deemed a confirmation of the decision of the Code Inspector.
- (b) Hearings.
- (1) Any person(s) served with a notice of violation has the right to appeal such notice to the Board. Such appeal must be filed on forms provided by the City and must be filed within fourteen (14) days of service of the violation notice.
 - (2) Upon receipt of appeal, the Board shall set a time and place for hearing before the Board and shall give the petitioner written notice by first-class

mail postmarked no less than ten (10) days prior to the hearing. At such hearing, the petitioner shall be given an opportunity to be heard and to show cause why any items appearing on such notice and order should be modified, or withdrawn. The failure of the petitioner or his representative to appear and state his case at such hearing shall have the same effect as if no appeal were filed.

- (c) Findings. Prior to sustaining any violation and compliance order, the Board shall make the following findings:
- (1) The violator was served with a notice of violation and/or citation as provided for in Section _____.04.
 - (2) The notice of violation that was served stated the specific nature of the violation; corrective action needed to be taken to abate the violation; and a specific time period for abatement of the violation.
 - (3) Within the time period stipulated in the notice of violation, the violator failed to comply with the notice of violation by not abating the violation, and/or by not bringing the use into compliance with the City of Green Exterior Property Maintenance Code.
 - (4) Upon expiration of the date indicated for compliance in the notice of violation, the property was being maintained in violation of specific provisions of the City of Green Exterior Property Maintenance Code and/or conditions imposed by the Board as a prerequisite to the modification of a previous compliance order.
- (d) Authority of Appeals Board. Within thirty (30) days the hearing, the Board shall render a decision sustaining, modifying, or withdrawing any item appearing on the notice and order. The petitioner shall be notified of the decision in writing and served by certified mail or commercial carrier service. No fines or assessments shall be imposed against the violator during the appeals process.

.06 PROSECUTION

Any notice of violation not promptly complied with per Section _____.04 and Section _____.05, shall be forwarded to the Director of Law for legal action who may take legal action to collect all fines due and to assure compliance for abatement of the nuisance.

.07 ABATEMENT OF NUISANCE BY CITY AND COST RECOVERY

After following the foregoing process and providing sufficient opportunity to the owner to abate the nuisance, should the nuisance not be abated at the expiration of the time stated in the notice or order of the Code Inspector or any extensions granted or such additional time as the Appeals Board may grant, the Law Director may obtain a warrant from a court of competent jurisdiction to permit entry to take such action as deemed appropriate to abate the nuisance, in addition to any remedies provided elsewhere in this Exterior Property Maintenance Code. In abating such nuisance, the Code Inspector may provide the owner with a list of available local resources, call on any department of the City for any assistance necessary to abate the nuisance or may, by contract, abate such nuisance and the cost of the contract will be paid for from City funds. All costs incurred to abate a nuisance may be recovered in the following manner:

- (a) The owner(s) shall be billed directly by certified mail deposited with the United States Post Office, or commercial carrier service utilizing any form of delivery requiring a signed receipt. In the event the certified envelope is returned with endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Code Inspector.
- (b) If the costs are not so recovered within thirty (30) days of receipt of the mailing described in division (a) of this section, the City may collect the cost in accordance with the applicable provision of the Ohio Revised Code or as otherwise provided by law.

.08 TRANSFER OF OWNERSHIP

The Law Director may file an affidavit with the Summit County Recorder's Office for any property for which a notice of violation has been properly served, which shall contain the following:

- (a) The legal description of the property;
- (b) The name of the owner(s);
- (c) The department where the owner(s) may obtain copies of the records concerning the Exterior Property Maintenance Code violation;
- (d) The violation of the Exterior Property Maintenance Code, with specifics;
- (e) If costs have been occurred pursuant to Section _____.07, a statement setting forth the exact amount of costs that have not yet been collected.

Upon completion of the corrective measures required to bring the property into compliance and payment in full of any fees or assessments, the Law Director shall file an affidavit of compliance with the Summit County Recorder's Office.

Non-compliance without remediation or abatement shall attach to the property for a period of seven (7) years, or until the Law Director files an affidavit of compliance, whichever is earlier.

During the attachment period, transfer of ownership must include an affidavit from the transferee acknowledging the responsibility of making the repairs, to be delivered to the City's Law Director.

.09 ABANDONMENT OF CONSTRUCTION PROJECT

Any building or structure for which a building permit has been issued, and except for circumstances beyond the property owner's control (e.g. labor strikes, inclement weather, etc.), all construction work shall be diligently pursued to completion. The Code Inspectors may request documentation showing the cause for any delays. Any construction project, upon which no substantial work has been undertaken for a period of six months, shall be deemed abandoned. Upon any construction project being deemed abandoned, all buildings or structures not completed

to the degree such buildings or structures have been indicated on the plans submitted in support of a building permit, and all building materials and construction equipment shall be removed from the site. The Code Inspectors may also require the structures to be secured from the elements. **.10 RESIDENTIAL EXTERIOR PROPERTY MAINTENANCE**

STANDARDS

The following standards are applicable to all residential structures, dwelling units, residential portions of mixed use structures and all dwelling units located in commercial buildings.

- (a) **Structural Soundness and Maintenance of Dwellings.** Every foundation, exterior wall, and roof of every dwelling shall be so maintained and be kept in good repair and in safe condition so as to make all occupied rooms and other interior areas weather-tight, water-tight, rodent-proof and so as to be fit for human habitation and so as to not adversely affect the neighborhood in which they are located. Good repair, maintenance, and safe condition shall include but is not limited to the following:
 - (1) **Foundations.** Foundations shall support the building at all points and shall be free of all holes and cracks which admit rodents or lessen the capability of the foundation to support the building.
 - (2) **Exterior walls and surfaces.** Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition which might admit rodents, rain or dampness to the interior of the dwelling.
 - (3) **Windows.** Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, and maintained so as to exclude adverse weather elements from entering the structure.
 - (4) **Exterior doors.** Doors shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, windproof, and waterproof and be provided with door hinges and door latches which are in good working condition.
 - (5) **Roof.** Roof members, covering and flashing shall be structurally sound and right so as to prevent the entrance of moisture and be maintained by renewal, repair, waterproofing, or other suitable means. Roof drainage shall be adequate to prevent rain water from being discharged in a manner that creates a public nuisance or adversely affects adjacent properties. Roof drainage shall be discharges to the storm sewer system when practicable.
 - (6) **Gutters.** Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties. Downspout discharges that tie to storm sewer system must have a cleanout installed prior to the entering the road right of way or drainage easement.
 - (7) **Sump Pumps.** Sump pumps if required are to be discharged into the approved system. They cannot adversely affect adjacent properties.
 - (8) **Pools.** Pools may be drained onto natural ground at a metered rate as to allow the water percolate into the soils. However, if it is adversely affecting

adjacent properties then the pool must be discharged directly to the storm sewer. Such discharge shall only be permitted when the chlorine residual is below the lowest measurable value of the typical home test kit (usually 0.5 mg/L chlorine).

- (9) Chimneys. Chimneys shall be free of cracks, holes, or missing portions and maintained in sound condition.
- (10) Porch. Every porch shall be so maintained so as to be free of missing, defective, rotting or deteriorated foundations, support, floors, other members, and stops thereto, so as to be safe to use and kept in sound condition and in good repair.
- (11) Structural member. Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be renewed, restored, repaired, or replaced as is necessary to serve the purpose as originally intended.
- (12) Exterior surfaces. Except for materials that have been designed or manufactured to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose, or peeling paint or covering.
- (13) Basement. Basement or cellar hatchways shall be so constructed and maintained as to prevent the entrance of rodents, rain, and surface drainage into the dwelling.
- (14)
- (b) Exterior Property and Structure Exteriors. All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.
 - (1) Maintenance. The exterior of all premises and every structure thereon including but not limited to walls, roofs, cornices, chimneys, drains, towers, porches, landings, fire escapes, stairs, signs, windows, doors, awnings, and all surfaces thereof, shall be maintained so as to avoid any blighting effects on neighboring properties and shall be painted or protected where necessary for the purpose of preservation. All canopies, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, porches, balconies, and similar overhanging extensions, where exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration.
 - (2) Fences and walls. All fences or similar structures shall always be in the state of good structural repair. If any fences, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.
 - (4) Hazards. Hazards and unsanitary conditions shall be eliminated.

- (5) Storage. Outside storage is permitted only in accordance with the provisions of the City of Green Codified Ordinance and in compliance with this Chapter ___ of the City of Green Codified Ordinances.
- (6) Drainage swales. Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant shrubs and/or trees, or discharge, empty, or place any material, fill or waste into any swale so as to divert or impede drainage flow. Smaller swales can be mowed as part of the yard. Larger swales in meadow situations should be mowed less frequently in order to allow grasses to grow taller to retard runoff and prevent erosion. Swales in woodland areas should be left in their natural condition leaving understory growth to retard runoff and prevent erosion.
- (c) Stairways.
 - (1) Exterior stairways. All exterior stairways on all residential premises shall be in accordance with the following provisions:
 - A. Stairways shall be maintained free of holes, grooves, and cracks which constitute a safety hazard;
 - B. Stairways shall be maintained free of rotted or deteriorated supports;
 - C. Stairways shall have treads of uniform width and risers of uniform height; and
 - D. Stairway handrails and/or railings shall be firmly fastened and maintained in good condition. Where the absence of handrails and/or railings create a hazardous condition, the Code Inspector may require their installation in accordance with the provisions of the Building Code.
- (d) Accessory Structures. All structures accessory to the dwellings, including detached garages, shall be maintained structurally sound, neatly maintained, and in good repair or shall be razed to grade level and debris removed from the premises.

.11 COMMERCIAL EXTERIOR PROPERTY MAINTENANCE STANDARDS

- (a) General Provisions.
 - (1)
 - (2) The following commercial exterior property maintenance standards are applicable to all commercial structures, commercial units, and portions of mixed use structures which are devoted to commercial use, including all exterior and structural requirements, soundness and maintenance.
- (b) Structural Soundness and Maintenance of Commercial Structures. Every foundation, floor, wall, ceiling and roof of every commercial structure shall be so constructed and maintained and be kept in good repair and in safe condition so as to make all occupied rooms and other interior areas weathertight, watertight, rodentproof, and so as to be fit for human use and so as to not adversely affect the neighborhood in which they are located. Good repair, maintenance and safe condition shall include but is not limited to the following:

- (1) Foundations. Foundations shall support the building at all points and shall be free of all holes and cracks which admit rodents, water or dampness to the interior of the building or lessen the capability of the foundation to support the building.
- (2) Exterior walls and surfaces. Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition which might admit rodents, rain or dampness to the interior of the dwelling.
- (3) Windows. Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, and be maintained so as to exclude adverse weather elements from entering the structure.
- (4) Exterior doors. Doors shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, wind-proof, and waterproof and be provided with door hinges and door latches which are in good working condition.
- (5) Roof. Roof members, covering, and flashing shall be structurally sound and tight so as to prevent the entrance of moisture and be maintained by renewal, repair, waterproofing, or other suitable means. Roof drainage shall be adequate to prevent rain water from causing dampness in the interior portion of the building or adversely affect adjacent properties.
- (6) Gutters. Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and be maintained so as not to lead or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties.
- (7) Chimneys. Chimneys shall be free of cracks, holes, or missing portions and be maintained in sound condition.
- (8) Porch. Every porch shall be constructed and maintained so as to be free of missing, defective, rotting, or deteriorated foundations, supports, floors, other members, and steps thereto, so as to be safe to use and be kept in sound condition and in good repair.
- (9) Structural member. Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose originally intended shall be repaired or replaced as is necessary to serve the purpose as originally intended.
- (10) Exterior surface. Except for materials that have been designed or manufactured to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose, or peeling paint or covering.
- (11) Basement. Basement or cellar hatchways shall be so constructed and maintained as to prevent the entrance of rodents, rain, and surface drainage into the structure.
- (12)

- (c) Exterior Property and Structure Exteriors. All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.
- (1) Maintenance. The exterior of all premises and every structure thereon including but not limited to walls, roofs, cornices, chimneys, drains, towers, porches, landings, fire escapes, stairs, store fronts, signs, windows, doors, awnings, marquees, and all surfaces thereof, shall be maintained so as to avoid any blighting effects on neighboring properties and shall be painted or protected where necessary for the purpose of preservation. All canopies, marquees, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, porches, balconies, and similar overhanging extensions, and their supporting structures were exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration. Prohibited and obsolete signs shall be removed or replaced pursuant to applicable sections of the City of Green Codified Ordinance.
- (2) Fences and walls. All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such approved fences, retaining walls, or similar structures shall always be in the state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.
- (3)
- (4) Hazards. Hazards and unsanitary conditions shall be eliminated.
- (5) Drainage swales. Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant shrubs and/or trees or discharge, empty, or place any material fill or waste into any swale so as to impede or divert drainage flow. Smaller swales can be mowed as part of the yard. Larger swales in meadow situations should be mowed less frequently in order to allow grasses to grow taller to retard runoff and prevent erosion. Swales in woodland areas should be left in their natural condition leaving understory growth to retard runoff and prevent erosion.
- (6)
- (7) Traffic markings. All traffic markings such as directional arrows, lane division lines, parking space lines, stop signs, etc., shall be maintained so as to be clearly visible and easily recognized.
- (8) Conduct of business.
B. All storage of trash and garbage containers and/or dumpsters shall be effectively screened from view.
C.
- (9) Exterior light fixtures. Exterior lighting fixtures over steps, paths, walkways, courts, drives and parking lots shall be neatly maintained in operable condition and lighted for sufficient periods of time before and after

business hours to provide for pedestrian and employee safety and properly aimed so as not to shine on adjacent properties.

- (10) Exterior stairways. All exterior stairways on all commercial premises shall be in accordance with the following provisions:

- A. Stairways shall be maintained free of holes, grooves, and cracks which constitute a safety hazard;
- B. Stairways shall be maintained free of rotted or deteriorated supports;
- C. Stairways shall have treads of uniform width and risers of uniform height; and
- D. Stairway handrails and/or railings shall be firmly fastened and maintained in good condition. Where the absence of handrails and/or railings create a hazardous condition, the Code Inspector may require their installation in accordance with the provisions of the Building Code.

- (d) Accessory Structures. All structures accessory to commercial use, including signs and detached storage buildings, shall be maintained structurally sound, neatly maintained, and in good repair or shall be razed to grade level and debris removed from the premises.

.12 INDUSTRIAL EXTERIOR PROPERTY MAINTENANCE STANDARDS

- (a) General Provisions.

(1)

- (2) The following industrial exterior property maintenance standards are applicable to all industrial structures, industrial uses, and portions of mixed use structures which are devoted to industrial use, including all exterior and structural requirements, soundness and maintenance.

- (b) Structural Soundness and Maintenance of Industrial Structures. Every foundation, floor, wall, ceiling and roof of every industrial structure shall be so constructed and maintained and be kept in good repair and in safe condition so as to make all interior areas weather-tight, water-tight, rodent-proof and so as to be fit for human use and so as to not adversely affect the neighborhood in which they are located. Good repair, maintenance and safe condition shall include but is not limited to the following:

- (1) Foundations. Foundations shall support the building at all points and shall be free of all holes and cracks which admit rodents, water or dampness to the interior of the building or lessen the capability of the foundation to support the building.
- (2) Exterior walls and surfaces. Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition which might admit rodents, rain or dampness to the interior of the building.
- (3) Windows. Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, and be

maintained so as to exclude adverse weather elements from entering the structure.

- (4) Exterior doors. Doors shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, windproof, and waterproof and be provided with door hinges and door latches which are in good working condition.
 - (5) Roof. Roof members, covering and flashing shall be structurally sound and tight so as to prevent the entrance of moisture and be maintained by renewal, repair, waterproofing, or other suitable means. Roof drainage shall be adequate to prevent rain water from causing dampness in the interior portion of the building or adversely affect adjacent properties.
 - (6) Gutters. Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and be maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties.
 - (7) Chimneys. Chimneys shall be free of cracks, holes, or missing portions and be maintained in sound condition.
 - (8) Structural member. Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be repaired or replaced as is necessary to serve the purpose as originally intended.
 - (9) Exterior surface. Except for materials that have been designed or manufactured to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose, or peeling paint or covering.
 - (10)
- (c) Exterior Property and Structure Exteriors. All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.
- (1) Maintenance.
 - A. The exterior of all premises and every structure thereon including but not limited to walls, roofs, cornices, chimneys, drains, towers, fire escapes, stairs, fronts, signs, windows, doors, awnings, marquees, and all surfaces thereof, shall be maintained so as to avoid any blighting effects on neighboring properties and shall be painted or protected where necessary for the purpose of preservation.
 - B. All canopies, marquees, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, and similar overhanging extensions, including their supporting structures were exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration. Prohibited and obsolete signs shall be removed or replaced pursuant to the applicable sections of the City of Green Codified Ordinance.
 - (2) Fences and walls.

- A. All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such approved fences, retaining walls, or similar structures shall always be in the state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired as required.
 - B. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.
- (3)
- (4) Hazards. Hazards and unsanitary conditions shall be eliminated.
- (5) Drainage swales. Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant shrubs and/or trees or discharge, empty, or place any material fill or waste into any swale so as to impede or divert drainage flow. Smaller swales can be mowed as part of the yard. Larger swales in meadow situations should be mowed less frequently in order to allow grasses to grow taller to retard runoff and prevent erosion. Swales in woodland areas should be left in their natural condition leaving understory growth to retard runoff and prevent erosion.
- (6)
- (7) Traffic markings. All traffic markings such as directional arrows, lane division lines, parking space lines, stop signs, etc., shall be maintained so as to be clearly visible and easily recognized.
- (8) Conduct of business.
 - A. All storage of trash and garbage containers and/or dumpsters shall be effectively screened from view in a manner approved by the appropriate Boards and Commissions or the Code Inspector.
 - B.
- (9) Exterior light fixtures. Exterior lighting fixtures over steps, paths, walkways, courts, drives and parking lots shall be neatly maintained in operable condition and lighted for sufficient periods of time before and after business hours to provide for pedestrian and employee safety and properly aimed so as not to shine on adjacent properties.
- (10) Exterior stairways. All exterior stairways on all industrial premises shall be in accordance with the following provisions:
 - A. Stairways shall be maintained free of holes, grooves, and cracks which constitute a safety hazard;
 - B. Stairways shall be maintained free of rotted or deteriorated supports;
 - C. Stairways shall have treads of uniform width and risers of uniform height; and
 - D. Stairway handrails and/or railings shall be firmly fastened and be maintained in good condition. Where the absence of handrails and/or railings create a hazardous condition, the Code Inspector may require their installation in accordance with the provisions of the Building Code.

- (d) Accessory Structures. All structures accessory to industrial use including signs, shall be maintained structurally sound and in good repair or shall be razed to grade level and debris removed from the premises.

.99 PENALTY

- (a) _____. Whoever violates any section of this Ordinance shall be fined not more than:
- (1) One Hundred (\$100.00) Dollars for the first (1st) offense;
 - (2) Two Hundred (\$200.00) Dollars for the second (2nd) offense;
 - (3) Four Hundred (\$400.00) Dollars for the third (3rd) offense within a one (1) year period. Subsequent offenses shall be referred directly to the Director of Law for legal action.
- (b) _____. The application of the penalty provided in subsection (a) hereof shall not be held to prevent the enforced removal of prohibited conditions.
- (c) Prohibitions. No person shall violate any provision or fail to comply with any of the requirements of this Exterior Property Maintenance Code or fail to comply with any order made thereunder.
- (d) Penalties. Whoever violates any section of this Chapter shall be subject to the following penalties:
- (1) Whosoever violates any section of this Chapter is guilty of a minor misdemeanor for each offense. Each day an offense occurs constitutes a separate offense.
 - (2) If within one (1) year of the date of the offense, the offender has been convicted or pleads guilty to another violation under this Chapter, the offender is guilty of a misdemeanor of the third degree.
- (e) Civil Remedies. The application of the penalty provided in subsection (d) hereof shall be in addition to and not in lieu of all civil remedies available for the enforcement of this Chapter in the abatement of the nuisance and/or the enforced removal of prohibited conditions.

CHAPTER _____

DANGEROUS BUILDINGS

~~____.01 _____ ZONING DIVISION.~~

~~____.02 _____ DANGEROUS BUILDING DEFINED.~~

~~____.03 _____ DANGEROUS BUILDINGS; NUISANCES.~~

~~____.04 _____ UNSAFE CONDITIONS; REPORTS.~~

~~____.05 _____ STRUCTURES VACANT AND OPEN ENTRY.~~

~~____.06 _____ AGREEMENT TO REPAIR OR REMOVE.~~

- ~~____.07 AUTHORITY TO EXAMINE PREMISES.~~
- ~~____.08 REMEDIAL ORDER; NOTICE.~~
- ~~____.09 POSTING OF SIGNS.~~
- ~~____.10 PERMITS.~~
- ~~____.11 RIGHT TO DEMOLISH.~~
- ~~____.12 FAILURE TO ACT; REMEDY BY CITY; COSTS CERTIFIED AS LIEN.~~
- ~~____.13 ENFORCEMENT.~~
- ~~____.14 APPEAL TO BOARD OF ZONING APPEALS.~~
- ~~____.15 PENALTY.~~

~~____.01 ZONING DIVISION~~

~~Zoning Division shall have the same description and responsibilities as outlined in Section _____.02 of the City of Green Codified Ordinance.~~

~~____.02 DANGEROUS BUILDING DEFINED.~~

~~All buildings or structures which have any of the following defects may be deemed "dangerous buildings."~~

- ~~(a) Those whose interior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.~~
- ~~(b) Those which, exclusive of the foundation, show thirty three percent (33%) or more of damage or deterioration of the supporting member or members, or fifty percent (50%) of damage or deterioration of the non supporting enclosing or outside walls or covering.~~
- ~~(c) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.~~
- ~~(d) Those which have become or are so dilapidated, decayed, unsafe, unsanitary, or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation.~~
- ~~(e) Those having light, air, and sanitation facilities which are inadequate to protect the health, morals, safety, or general welfare of human beings who live or may live therein.~~
- ~~(f) Those having inadequate facilities for egress in case of fire or panic, or those having insufficient stairways, elevators, fire escapes, or other means of communication.~~
- ~~(g) Those which have parts thereof which are so attached that they may fall and injure members of the public or property.~~

- ~~(h) Those which, because of their condition, are unsafe, unsanitary, or dangerous to the health, morals, safety, or general welfare of the occupants of the city.~~
- ~~(i) Those buildings existing in violation of any provisions of the Summit County Building Code, any provision of the Fire Prevention Code, other ordinances of the city, or Summit County Building Code.~~
- ~~(j) Those buildings which are vacant and unguarded at the doors or windows.~~
- ~~(k) Those buildings which have been condemned by the Summit County Building Department.~~
- ~~(l) Those buildings which are the site of a clandestine drug lab and the damage from such drug lab is found to be so severe that clean up alone is impractical or ineffective to reduce the associated health and safety risks.~~

~~_____~~.03 DANGEROUS BUILDINGS; NUISANCES

~~As used in this chapter, all dangerous buildings, within the terms of Section _____02 are hereby declared and shall be deemed to be public nuisances by reason of the condition in which the same are permitted to be or remain, and which shall or may endanger the health, life, limb, or property, or cause any hurt, harm, inconvenience, discomfort, damage, or injury to any one or more persons in the city, including but not limited to any one or more of the following particulars:~~

- ~~(a) By reasons of being a nuisance to the general health of the community.~~
- ~~(b) By reason of being a fire hazard.~~
- ~~_____ (c) By reason of being unsafe for occupancy or use on, in, upon, about, or around the _____ aforesaid premises.~~
- ~~(d) By reasons of being a nuisance, because of long continued vacancy, lack of reasonable _____ or adequate maintenance of structure and/or premises adjacent thereto, thereby _____ depreciating the enjoyment and use of property in the immediate vicinity to such an _____ extent that it is harmful to the community in which such structure is situated.~~

~~_____~~.04 UNSAFE CONDITIONS; REPORTS

~~Any owner, manager, lessee, or occupant of a building who discovers or who has reason to believe that there exists, on the premises, a condition which may endanger other property or the life or limb of any person, and such condition cannot be immediately remedied so as to remove any danger therefrom, shall, within twenty four (24) hours after such discovery, report the existence of such dangerous condition to the Zoning Division, who shall forthwith take such steps as may be necessary to protect the public safety and welfare. No person who is an owner, manager, lessee, or occupant of a building on which premises such a dangerous condition exists and who knows or should know of such dangerous condition shall fail to make such report to Zoning Division within twenty four (24) hours after such knowledge is obtained or should have been obtained.~~

~~.05 STRUCTURES VACANT AND OPEN ENTRY~~

~~(a) Responsibility. The record titled owner(s) of any parcel located within the City on which there is a principal structure that has been voluntarily vacant for at least six (6) months shall provide the Zoning Division the name, address, and contact information of the person(s) responsible for the maintenance of the property during vacancy. In the event that a principal structure becomes involuntarily vacant by court order, foreclosure, or other reason, the titled owner(s) shall provide the Zoning Division, within ten days of such involuntary vacancy with:~~

~~_____ (1) The titled owner(s) current address; and~~

~~_____ (2) A copy of the court order, notice, statement or other document that terminated rights to possession and/or control of the property.~~

~~(b) Zoning Division to Secure. Whenever the Zoning Division finds a vacant structure open to entry at doors, windows, or other points accessible to the general public, the Zoning Division may cause the structure to be secured at those points of entry. The Zoning Division shall be authorized at any time to enter upon the premises and secure the structure in order to lessen the severity of risk caused by the dangerous building. In securing such structure, the Zoning Division may call upon any department, division, or bureau of the city or whatever assistance may be necessary, or may, by private contract, secure such structure. Such securing shall not abate the necessity to repair or remove the dangerous building. The Notice of Violation shall include the fact that the Zoning Division has found it necessary to take appropriate action to secure the structure.~~

~~.06 AGREEMENT TO REPAIR OR REMOVE~~

~~The record title holders and lienholders of the property may enter into an agreement with the city to perform the repair or removal of an unsafe building.~~

~~.07 AUTHORITY TO EXAMINE PREMISES~~

~~The Zoning Division shall be empowered to examine or cause to be examined any building or dwelling within the city, to determine whether such building or dwelling is dangerous, unsafe, or constitutes a nuisance, as provided by this chapter, and may apply to a court of competent jurisdiction for an administrative search warrant to enter said premises for inspection.~~

~~.08 REMEDIAL ORDER; NOTICE~~

~~(a) _____ If the Zoning Division examines or causes to be examined a building or structure
_____ or portion thereof and determines it to be a dangerous building, the Zoning Division
_____ shall provide notice to the owner and lienholders of the property.~~

~~(b) _____ Notice of violation and order.~~

~~_____ (1) The Zoning Division shall give written notice to the record title owner(s)
_____ and lienholder(s) of the property by regular 1st Class U.S. mail and post
_____ signs on the dangerous building in accordance with Section _____.09 of the
_____ Zoning Division's condemnation order and/or designation of the building
_____ as a dangerous building. The violation and order notice must include the
_____ Zoning Division's intention to either require repair or demolish the~~

~~dangerous building under Section _____.11 The violation and order notice must also include the name, address, and phone number of the office of the Zoning Division, the address of the dangerous building, the name and last known address of the record title owner of the dangerous building, and the date by which the record title owner(s) must contact the Zoning Division in writing. If the Zoning Division order requires repair of the dangerous building, the notice must include a list of repairs to be made and a date by which the repairs must be completed. The Notice of Violation shall include written notice of any action taken pursuant to _____.05.~~

~~(2) Unless another deadline is established under this chapter or by the written notice of violation and order, the record title owner(s) shall contact the Zoning Division in writing within fourteen (14) days of the date the notice of violation and order is mailed.~~

~~(3) Unless another deadline is established under this chapter or by the written notice of violation and order, the record title owner(s) shall comply with the notice of violation and order requirement(s) to either repair or demolish the dangerous building within thirty five (35) days of the date the notice of violation and order is mailed.~~

~~(4) If any emergency exists, written notice may be given by other means fifteen (15) days prior to demolition.~~

~~(5) If the record title owner(s) fails to contact the Zoning Division by the date provided on the written notice, or the notice of violation and order is returned undeliverable by the United States Postal Service (USPS), the Zoning Division shall cause the notice of violation and order to be made by publication in a newspaper of general circulation in the county. The publication shall be published at least once a week for three (3) successive weeks and shall contain the name, address, and phone number of the office of the Zoning Division, the address of the dangerous building, the name and last known address of the record title owner of the dangerous building, the name and last known address of any and all lienholders of the dangerous building, a summary statement that the building has been determined to be dangerous and that the building must be repaired or demolished, and that the record title owner is required to contact the Zoning Division and comply with the notice of violation and order within fifteen (15) days after the last publication.~~

~~(6) The Zoning Division may grant an extension of time for compliance with the notice of violation and order upon the record title owner's written request and for good cause shown.~~

~~(c) It shall be unlawful for the owner of any dwelling unit or structure who has received a notice pursuant to paragraph (b), or whom a notice of violation has been served, to sell, transfer, mortgage, lease, or otherwise dispose of property to another until the provisions of the notice of violation and order have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee, or lessee, acknowledging the receipt of such notice of violation issued by the Zoning Division, and furnish the Zoning Division with a signed and notarized statement~~

~~_____ from the grantee, transferee, mortgagee, or lessee, acknowledging the receipt of
_____ such notice of violation and fully accepting the responsibility, without condition
_____ unless agreed to by the Zoning Division, for making the corrections or repairs
_____ required by such notice of violation.~~

~~_____~~.09 POSTING OF SIGNS

~~The Zoning Division shall cause to be posted at each entrance to or conspicuous place on a dangerous building or structure or portion thereof a notice to read: "CONDEMNED. DO NOT ENTER. UNSAFE TO OCCUPY. BUILDING CODE REGULATION, CITY OF GREEN, OHIO." Such notice shall include the date of posting and a deadline as established in Section _____ .08 of this code. Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person to remove such notice without permission from the Zoning Division or for any person to enter the building, except for the purpose of making the required repairs or demolishing the same. Any person who shall occupy a placarded premises and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises shall be liable for the penalties provided by this code.~~

~~_____~~.10 PERMITS

~~In all cases of construction or repair pursuant to orders of the Zoning Division , permits covering such work shall be obtained as required by law.~~

~~_____~~.11 RIGHT TO DEMOLISH

~~In case the record title owner(s), or the purchaser under a land contract if that be the case, shall fail, neglect, or refuse to comply with the notice to repair, rehabilitate, or demolish and remove said dangerous building or structure or portion thereof, such party, either the record title owner(s) or the purchaser under land contract, shall be subject to the penal provisions of this building code and the Zoning Division may proceed to have the building or structure or portion thereof demolished and removed from the premises, leaving the premises in a clean, safe, and sanitary condition. When any structure has been ordered to be demolished, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell or offset cost of demolition the salvage and valuable materials at the highest price obtainable.~~

~~_____~~.12 FAILURE TO ACT; REMEDY BY CITY; COSTS CERTIFIED AS LIEN

~~Any and all costs incurred under this chapter shall be paid by the record title owner(s) of such building or structure. The record title owner(s) shall reimburse the city all expenses, including but not limited to the cost of securing, boarding, vacating, repairing, or demolishing the dangerous building.~~

~~If any person fails to comply with any lawful order of the Zoning Division within the time limit specified in such order, the Zoning Division shall cause such building to be secured, effectively boarded, vacated, repaired, or demolished, as the facts may warrant, under the standards provided for in this chapter. If record title owner(s) fails to pay the cost to secure, board, vacate, repair, and/or demolish the dangerous building within thirty (30) days after notice of the amount of the expense, the Zoning Division shall certify the same to the appropriate County Auditor to be placed upon the tax duplicate and collected as other taxes are collected according to law.~~

~~Notwithstanding the power and authority to certify a lien, set forth in this section, nothing shall abrogate nor limit any other right of recovery the city may have. The Director of Law shall take any action necessary to collect the costs incurred under this chapter from the record title owner(s) or other responsible party.~~

~~.13 ENFORCEMENT~~

~~The Zoning Division which may include, but is not limited to, the Summit County Building Department officials, have full authority to apply for warrants, issue orders, compel repair or demolition, and any other act called for by this chapter or by law. The City of Green may use the remedies detailed in this chapter and/or any other remedies available under the law.~~

~~.14 APPEAL TO BOARD OF ZONING APPEALS~~

- ~~(a) Any owner, manager, lessee, or occupant of a building who has been notified by the Zoning Division to repair or demolish a structure under this Chapter, may appeal that order within fifteen (15) days of notice of such order to the Board of Zoning Appeals by filing a written Notice of Appeal and including the applicable fee as contained in the Ordinance. The written Notice of Appeal shall state the reason for said appeal.~~
- ~~(b) All appeals initiated under Section _____.14(a) shall be filed in writing with the Recording Secretary of the Board of Zoning Appeals, who shall promptly forward the appeal to the Board of Zoning Appeals.~~
- ~~(c) Upon receipt of an appeal commenced under Section _____.14(a), the Board of Zoning Appeals shall cause a meeting for the hearing of the appeal to be scheduled in accordance with the Ordinance.~~
- ~~(d) On any appeal filed under Section 1328.14(a), the Board of Zoning Appeals may modify, reverse, or affirm the decision of the Zoning Division. All appeals shall be considered de novo.~~
- ~~(e) Upon the submission of the appeal under this section, all orders of the Zoning Division shall be stayed, unless the Zoning Division certifies in writing that the order is in response to an emergency situation necessary for the immediate preservation of the health, safety, and welfare of the community.~~

~~.15 Penalty~~

- ~~(a) The owner of any dangerous building who fails to comply with any notice or order to repair, vacate, or demolish such building, given by any person authorized by this Chapter to give such notice or order, shall be guilty of a misdemeanor of the first degree for each offense. Each day of noncompliance with this Chapter shall constitute a separate offense.~~
- ~~(b) Any owner of a dangerous building who sells, transfers, mortgages, leases, or otherwise disposes of property to another without compliance with Section _____.08(c) shall be guilty of a misdemeanor of the first degree.~~

- ~~(c) The occupant or lessee in possession who fails to comply with any notice to vacate and who fails to repair such building in accordance with any notice given, as provided in this chapter, shall be guilty of a misdemeanor of the second degree for each offense. Each day of noncompliance with this Chapter shall constitute a separate offense.~~
- ~~(d) Whoever violates Section _____.09 of this chapter shall be guilty of a misdemeanor of the second degree for each offense. Each day of noncompliance with this Chapter shall constitute a separate offense.~~
- ~~(e) Whoever violates any other section of this Chapter is guilty of a minor misdemeanor for each offense. Each day of noncompliance with this Chapter shall constitute a separate offense.~~