

Village Of Crooksville, Ohio
ORDINANCE 2420

**ESTABLISHING A DEMOLITION OF BUILDINGS AND STRUCTURES AND
PERMIT PROCESS ORDINANCE OF THE VILLAGE OF CROOKSVILLE**

Whereas, the Village of Crooksville does not currently require any type of permit for the demolition of buildings or structures within the Village corporation limits; and

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 Crooksville Village Council has recommended the establishment of a demolition permit process.

**NOW, THEREFORE, THE COUNCIL FOR THE VILLAGE OF CROOKSVILLE, OHIO
HEREBY ORDAINS THAT:**

Section One. PERMIT REQUIRED.

(a) No person shall demolish any building or structure or facility over 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. BOND OR OTHER SURETY REQUIRED.

Prior to the issuance of a demolition permit, the owner, agent or person with control of the property subject to demolition shall post with the Village a minimum \$5,000.00

performance bond, cash deposit, or other surety approved by the Village Administrator to assure the Village that the demolition work will proceed as permitted. The terms of the surety shall provide that the Village may retain or claim the surety proceeds if the permit holder fails to perform the demolition activities in accordance with the permit granted. In the event that the planned demolition is of such a size or scope that the \$5,000.00 bond, deposit or surety will be insufficient to assure completion of the demolition and site restoration activity, the Village Administrator may request a larger value performance bond, cash deposit, or other surety to assure the Village that the demolition work will proceed as permitted, such larger value to be set on a case-by-case basis, upon majority vote of Council. In any event, the value of the surety shall not exceed the cost associated with the demolition and site restoration.

Section Four. 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 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 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 with a SDR 35 cap 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 Village of Crooksville 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 growth.

Section Five. PERMITTED HOURS OF DEMOLITION.

Demolition activity shall be permitted between the hours of 7:00 a.m. and 9:00 p.m. Monday thru Saturday only. Noise generating from demolition activity shall be in compliance with the Village of Crooksville Noise Ordinance, Ordinance 2340.

Section Six. 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 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-day time period.

Section Seven. DEMOLITION PERMIT FEE.

The fee for the issuance of a demolition permit shall be Twenty-Five and No/100 Dollars (\$25.00), plus Five and No/100 Dollars per One Thousand Square Feet (\$5.00/1,000 s.f.), with a maximum permit fee of one hundred dollars (\$100.00).

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 dollars (\$150.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

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

1st Reading: September 19, 2011

2nd Reading: October 3, 2011

3rd Reading: December 5, 2011

Passed: December 5, 2011

Dennis E. Harvey
Dennis E. Harvey, Mayor

ATTESTED:

Marcella E. Maxwell
Marcella E. Maxwell, Fiscal Officer

Posting Certification

This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the 6th day of December, 2011.

Marcella Maxwell
Marcella Maxwell, Fiscal Officer