

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 163

By: Mayor Perciak and Mr. Schonhut

AN ORDINANCE AMENDING SECTION 1402.05 OF CHAPTER 1402, OF THE STRONGSVILLE DWELLING CODE, OF TITLE TWO, PART FOURTEEN; AND SECTION 1420.02 OF CHAPTER 1420, OF TITLE FOUR, PART FOURTEEN OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE CONCERNING STORM WATER DRAINAGE AND PERMIT FEES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That Section 1402.05 of Chapter 1402 of Title Two, Part Fourteen of the Codified Ordinances of the City of Strongsville, be and is hereby amended in order that said Section shall read in its entirety as follows:

**Chapter 1402
Strongsville Dwelling Code**

* * *

1402.05 STORM WATER DRAINAGE.

(a) Where storm sewers are available, all gutters, drain leaders and downspouts shall be connected to them. Where there are no storm sewers, gutters, drains, leaders and downspouts shall be required to drain onto splash blocks directed away from both the structure and adjoining properties.

(b) As an alternative to the requirements set forth in subsection (a) of this section, one or more downspouts may be diverted into an approved rain barrel or other storm water storage device approved by the Building Commissioner, or his or her duly appointed representative, and the City Engineer, or his or her duly appointed representative, in accordance with this subsection, provided that the overflow from such appurtenance is directed back into the downspout. For purposes of this subsection, a rain barrel is defined as a plastic storage tank with a maximum water storage capacity of seventy (70) gallons. Other storm water storage devices, for purposes of this subsection, are defined as on-site storm water storage devices, other than a rain barrel, that are approved by the Northeast Ohio Regional Sewer District (“NEORS”) as valid storm water control measures and enable a property owner to be eligible for an individual NEORS storm water residential property credit. All such devices are subject to the following:

(1) Rain barrels and other storm water storage devices shall only be located in the rear yard, as defined in Section 1240.08(c)(20)(C). Notwithstanding this rear yard requirement, rain barrels and other storm water storage devices may be located in the side yard, as defined in Section 1240.08(c)(20)(D), if the following factors demonstrate to the reasonable satisfaction of the Building Commissioner that such location will not cause a problem or a public or private nuisance and will not create adverse conditions or impacts on neighboring properties:

- (A) Configuration of the dwelling or structure;
 - (B) Topography;
 - (C) Landscaping;
 - (D) Location of a patio, deck or pool;
 - (E) Window placement;
 - (F) Site line from adjacent homes: and
 - (G) Other similar factors determined by the Building Commissioner.
- (2) Rain barrels and other storm water storage devices are prohibited in the front yard, as defined in Section 1240.08(c)(20)(B).
- (3) Rain barrels and other storm water storage devices shall be positioned adjacent to the rear of the dwelling structure so as not to be visible from the public right-of-way. Only one rain barrel or other storm water storage device may be installed at each rear yard downspout or side yard downspout, if authorized by the Building Commissioner.
- (4) Rain barrels and other storm water storage devices, if visible from the public right-of-way and/or neighboring properties and authorized by the Building Commissioner, shall be screened from the public right-of-way and adjacent properties by means of a landscape buffer, consisting of year round plantings of a height at least equal to the height of the rain barrel and other storm water storage devices. The landscape buffer shall be provided and maintained in a manner reasonably satisfactory to the Building Commissioner.
- (5) Rain barrels and other storm water storage devices shall be covered at all times and incorporate a drainage system that directs any overflow away from the building's foundation in a manner that does not affect neighboring properties, and into the public storm sewer system.
- (6) The installation of rain barrels and other storm water storage devices shall be limited to residentially zoned property and shall conform to the standards established by the City for such devices and shall be subject to review

and approval by the Building Commissioner, or his or her duly appointed representative, and City Engineer, or his or her duly appointed representative, to ensure that they are correctly installed. A permit is required to be obtained from the Building Department by the property owner prior to the installation of any rain barrel or other storm water storage device. The applicant shall submit any information required by the Building Commissioner and City Engineer and plans to the City that include a site plan showing the dwelling structure in relation to the property lines and the location of the downspout or downspouts proposed to be used for a rain barrel and other storm water storage device, including the method of connecting the overflow back to the downspout, and a landscaping plan if necessary to screen the rain barrel from the public right-of-way and/or neighboring properties.

- (7) Rain barrels and other storm water storage devices shall be maintained in accordance with original construction standards to resist decay or deterioration of any cause and shall not cause a public or private nuisance.

(c) As an alternative to the requirements set forth in subsection (a) of this section, one or more downspouts may be diverted into an approved rain garden. Such rain garden shall be subject to the review and approval of the Building Commissioner, or his or her duly appointed representative, and City Engineer, or his or her duly authorized representative, and shall be constructed in accordance with the latest edition of the *Rain Garden Manual for Homeowners*. No rain garden shall be constructed until a permit is obtained from the Building Department by the property owner prior to its installation. The applicant shall submit plans to the City that include a site plan showing the dwelling structure in relation to the property lines and the location of the downspout or downspouts proposed to be used for the rain garden. The rain garden shall be maintained so that it shall not cause a public or private nuisance and shall not allow water to flow into neighboring properties.

(d) Any person affected by any order or decision of the Building Commissioner and/or City Engineer pursuant to this section may request and shall be granted a hearing before the Board of Building Code Appeals. Such appeal shall be requested in writing within ten (10) days of the date of the ruling.

(Ord. 2005-74. Passed 4-18-05.)

Section 2. That Section 1420.02 of Chapter 1420 of Title Four, Part Fourteen of the Codified Ordinances of the City of Strongsville, be and is hereby amended in order that said Section shall read in part as follows:

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1420.02 BUILDING AND ENGINEERING PLAN EXAMINATION, PERMIT AND INSPECTION FEES.

The following fees shall be paid by the applicant for the occupancies and items listed below at the time an application is made and/or at the time such fees are determined, but in any event no later than at the time of issuance of the permit:

Table 1420.02.1 - RESIDENTIAL			
RESIDENTIAL 1, 2 & 3 FAMILY DWELLING PERMIT FEES _{a, b, c, d, e, f}			
	New 1, 2 & 3 Family _a	ADDITIONS _a	ALTERATIONS _a
Building Permit	$GA \times SFCT = PF_a$	$GA \times SFCT \times (50\%) = PF_a$	$GA \times SFCT \times (50\%) = PF_a$
Electrical Permit	12% x PF	12% x PF	\$ 100.00
HVAC Permit	12% x PF	12% x PF	\$ 100.00
Plumbing Permit	12% x PF	12% x PF	\$ 100.00
1 % State Tax	Plus 1 % of all the fees above _b	Plus 1 % of all the fees above _b	Plus 1 % of all the fees above _b
Building Plan Review Fee	12% x PF, \$50.00 minimum	12% x PF, \$50.00 minimum	12% x PF, \$50.00 minimum
Engineering TOPO Review Fees	12% x PF	12% x PF	N/A
Engineering Inspection Fees	12% x PF	12% x PF	N/A
Grading Compliance Deposit	\$800.00	N/A	N/A
Sewer Cap Fee	Sewer Cap Range Table _f	N/A	N/A
Tree Planting Fee	Tree Planting Range Table _d	N/A	N/A
Recreation Cap Improvement Fee	\$ 800.00 _e	N/A	N/A
Right Of Way Deposit	\$400.00	N/A	N/A
Excessive Loads Fee	\$100.00	N/A	N/A
Compliance Deposit	\$500.00	\$500.00 selectable based on scope	\$500.00 selectable based on scope
Certificate Of Occupancy	\$50.00	\$50.00	\$50.00
	Total permit fees	Total permit fees	Total permit fees

RESIDENTIAL MISCELANOUS FEES _{b, c, d, f}	
Electrical Permit	\$50.00 Flat Fee plus 1% State Tax _b
HVAC Permit	\$100.00 Flat Fee plus 1% State Tax _b

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Plumbing Permit	\$50.00 Flat Fee plus 1% State Tax b	
Deck	Value Range Table c (x 50%) = PF b	Includes building and topographical review
Shed	Value Range Table c (x 50%) = PF, \$50.00 minimum	Includes building and topographical review
Pool/Spa Above Ground	\$100.00 Flat Fee b	Includes building, electrical and gas if applicable
In-ground Pool	\$100.00 Flat Fee b	Includes building, electrical, topographical review and gas if applicable
Siding	\$50.00 Flat Fee	
Miscellaneous	Value Range Table c (x 50%) = PF	
Driveway/Apron	\$50.00 Flat Fee b	Includes building, engineering and topographical review
Sidewalk	\$50.00 Flat Fee b	Includes building, engineering and topographical review
Reroof	\$50.00 Flat Fee b	
Sewer	\$50.00 Flat Fee b	
Rain Barrel/Water Garden	\$50.00 Flat Fee b	
Dye Test Inspection	\$50.00 Flat Fee b	
Waterproofing	\$100.00 Flat Fee b	
Water Control	\$50.00 Flat Fee b	
Fence	Value Range Table c (x 50%) = PF	
Hot Water Tank	\$50.00 Flat Fee b	
Residential Demolition Building	\$50.00 Flat Fee b	
Residential Demolition Engineering	\$50.00 Flat Fee	

- a. Building Valuation Data or "BVD" published by the International Code Council utilizes the "average construction costs per square foot table" and is one of the factors used for determining permit cost in the City of Strongsville. The average construction cost per square foot table presents factors that reflect relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction
- b. A 1% tax is added to the building, electrical, mechanical and plumbing permits that are governed by the Residential Code Of Ohio, pursuant to H. B. 175 and sections 103.2.4.2 and 103.2.4.1 of Rule 4101:8-1-03of the Ohio Administrative Code adopted by the Board of Building Standards.
- c. Refer to the Building Value Range Table 1420.02.3 for appropriate permit fees.
- d. Refer to the Tree Planting Fund Range Table 1420.02.5 for appropriate permit fees.
- e. Recreation capital improvement fee as determined by Strongsville C.O. 1224.06 and Planning Commission Approval
- f. Sewer Capitalization Rate Range Table 1420.02.6

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Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the public health, safety and welfare of the City, and for the further reason that it is immediately necessary to regulate the design, construction and maintenance of rain barrels, storm water storage devices and rain gardens, and to further provide for permit fees. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.



 President of Council

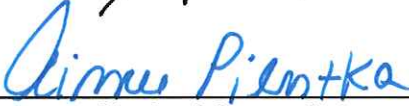
Approved: 

 Mayor

Date Passed: September 6, 2016

Date Approved: Sept 7, 2016

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	_____
Daymut	<input checked="" type="checkbox"/>	_____
DeMio	<input checked="" type="checkbox"/>	_____
Dooner	<input checked="" type="checkbox"/>	_____
Schonhut	<input checked="" type="checkbox"/>	_____
Short	<input checked="" type="checkbox"/>	_____
Southworth	<input checked="" type="checkbox"/>	_____

Attest: 

 Clerk of Council

ORD. No. 2016-163 Amended: _____
 1st Rdg. 09-06-16 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: 09-06-16 Defeated: _____