

AN ORDINANCE
AMENDING C.O. SECTION 1344.03 REGARDING RESIDENTIAL, COMMERCIAL
AND ACCESSORY STRUCTURE MAINTENANCE DEFINITIONS

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 1344.03 which presently reads as follows:

“1344.03 DEFINITIONS.

Certain words and phrases, as used or found in this chapter, are defined as follows:

- (1) ~~“Apartment house” means a building designed and used as a residence by four or more families living independently of each other or by four or more individuals or groups of individuals living independently. A residential building containing a use other than a dwelling use or an area designed for such other use, excluding home occupation uses approved in the Planning and Zoning Code, shall be considered as commercial. The words “apartment house” and “multiple dwelling” are synonymous.~~
- (2) ~~“Approved” means approved by the Building Director, pursuant to rules and regulations adopted by the Codified Ordinances of the City, or approved by another person or board designated by the City to give approval to the matter in question.~~
- (3) “Available” means that a service or facility is provided and is accessible to a property without the need for crossing the private property of another.
- (4) ~~“Basement” means a space with a floor level two feet or more below adjoining ground, but having less than half its clear height below adjoining ground. A basement shall be deemed a story when the ceiling is more than four feet six inches above adjoining ground.~~
- (5) “Board” means the Board of Zoning Appeals of the City as created and existing under the provisions of Chapter 1127 of the Zoning Code.
- (6) ~~“Building” means any structure designed, built as, occupied as a shelter or enclosure for persons, animals or property of any kind.~~
- (7) ~~“Building, accessory” means a subordinate building located on a lot containing a main building, the use of which is customarily incidental to that of the main building.~~
- (8) “Building Commissioner” means the Building Director of Bay Village.
- (9) “Cellar” means a space having half or more than half of its clear height below adjoining ground.
- (10) “City” means the City of Bay Village, Ohio.
- (11) ~~“Commercial” all buildings, structures and uses, except those listed in Section 1344.05(a) and their accessory buildings, structures and uses.~~
- (12) ~~“Dwelling” means a building designed and occupied as a residence by not more than three families living independently of each other.~~
- (13) ~~“Dwelling, one-story” means a dwelling containing no livable floor area in the second story thereof.~~
- (14) ~~“Dwelling, one and one-half story” means one with floor areas on two levels, one above the other, connected by stairs with the ceiling area of the upstairs smaller than the floor area of the downstairs and at least seven and one-half feet above the upstairs floor.~~
- (15) ~~“Dwelling, split level” means one containing floor area on two or more levels with not less than six feet vertical distance between the plane of one floor level and the plane of the next higher floor level.~~

- (16) ~~“Dwelling structure” means a building or structure used or designed to be used, all or in part, for residential purposes.~~
- (17) ~~“Dwelling, two-story” means a single family dwelling in which the area of the ceiling of the second story thereof is not less than the floor area of the first story thereof.~~
- (18) ~~“Dwelling unit” means a room or a group of rooms arranged, maintained or designed to be occupied by a single family for living, sleeping, cooking and eating. The words “dwelling unit” can mean “apartment” or “suite”.~~
- (19) ~~“Family” an individual or two or more persons living together as a single housekeeping group in a dwelling.~~
- (20) ~~“Finished livable floor area” is a heated room or enclosed floor space used or intended to be used for living, sleeping or eating purposes, excluding bathrooms, lavatories, dressing rooms, storage spaces, hallways, utility rooms, furnace rooms, boiler rooms and cellar recreations rooms.~~
- (21) ~~“Foundation” means the supporting portion of a structure below the first floor construction or ground, including the footings.~~
- (22) ~~“Grade level” means the mean elevation of the ground adjoining a main building or structure on all sides.~~
- (23) ~~“Habitable room” is a room or enclosed floor space used or intended to be used for living, sleeping or eating purposes including rooms and areas connected thereto, excluding cellar recreation rooms.~~
- (24) ~~“Occupant” means a person living, sleeping, cooking or eating in, or having actual possession of a dwelling unit or a room.~~
- (25) “Operator” means a person who has charge, care or control of a dwelling structure.
- (26) “Owner” a person, corporation and/or company whether incorporated or not, who has legal right of possession, lawful title and/or the deed holder. For purposes of this ordinance an officer of a corporation and/or company can and shall be the owner of record.
- (27) “Person” means any person, firm, partnership, association, corporation, company, organization or association of persons of any kind.
- (28) “Premises” means a lot, parcel or plot of land, including the building or structures, landscaping and trees thereon.
- (29) “Rental Dwelling” means a dwelling occupied by a family where consideration in the form of money or other valuable consideration is paid exchanged with the legal owner; or occupancy is by a family who is not the legal owner and no money or consideration is paid to the owner.
- (30) ~~“Structure” is anything built or erected, including but not limited to shelters, stadiums, reviewing stands, band stands, display stands, bleachers, booths, parking lots, swimming pools, skating rinks, platforms, decks, towers, bridges, trestles, frameworks, bins, barriers, poles and tanks above or below ground; and shall also mean the supporting framework thereof and appurtenances thereto.~~
- (31) “Supply” or “supplied” means paid for, furnished, provided by or under the control of the owner or operator.
- (Ord. 07-34. Passed 4-16-07.)

be and the same is hereby amended to read:

“1344.03 DEFINITIONS.

- (1) “Available” means that a service or facility is provided and is accessible to a property without the need for crossing the private property of another.
- (2) “Board” means the Board of Zoning Appeals of the City as created and existing under the provisions of Chapter 1127 of the Zoning Code.

- (3) *“Building Commissioner” or “Building Director” shall in all cases refer to the Chief Building Official.*
- (4) *“Cellar” means a space having half or more than half of its clear height below adjoining ground.*
- (5) *“City” means the City of Bay Village, Ohio.*
- (6) *“Operator” means a person who has charge, care or control of a dwelling structure.*
- (7) *“Owner” a person, corporation and/or company whether incorporated or not, who has legal right of possession, lawful title and/or the deed holder. For purposes of this ordinance an officer of a corporation and/or company can and shall be the owner of record.*
- (8) *“Person” means any person, firm, partnership, association, corporation, company, organization or association of persons of any kind.*
- (9) *“Premises” means a lot, parcel or plot of land, including the building or structures, landscaping and trees thereon.*
- (10) *“Rental Dwelling” means a dwelling occupied by a family where consideration in the form of money or other valuable consideration is paid exchanged with the legal owner; or occupancy is by a family who is not the legal owner and no money or consideration is paid to the owner.*
- (11) *“Supply” or “supplied” means paid for, furnished, provided by or under the control of the owner or operator. “*

and current Section 1344.03 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance shall be in full force and take effect at the earliest time permitted by law.

PASSED: March 3, 2014


CLERK


PRESIDENT OF COUNCIL

APPROVED: March 4, 2014


MAYOR

