

EXHIBIT B

PROPOSED BUILDING CODE TEXT AMENDMENTS

February 14, 2023

PART THIRTEEN – BUILDING CODE

TITLE THREE – Local Provisions

CHAPTER 1321 (FENCES)

1321.01 PERMIT REQUIRED; FEE.

(a) No person shall construct any fence on a residential property without first obtaining a permit therefor from the ~~Zoning Administrator~~Building Commissioner and paying a fee of fifty dollars (\$50.00). No person shall construct any fence on a commercial property without first obtaining a permit therefor from the ~~Zoning Administrator~~Building Commissioner and paying a fee of eighty dollars (\$80.00).

(b) The permit fee shall be doubled in those cases where a person constructs or starts to construct a fence without first obtaining a permit.

CHAPTER 1341 (DEFINITIONS)

1341.2301 RAIN BARREL

“Rain Barrel” means a container used to collect and store rainwater runoff, typically from roof tops via rain gutters. Rain barrels are installed to make use of rainwater for later use, usually for watering gardens. A rain barrel ~~or container~~ shall be covered at all times.

1341.2302 RAIN GARDEN

“Rain Garden” means an area of land designed to capture storm water runoff from impervious areas such as roofs, driveways, walkways, parking lots, and compacted lawn areas, and allow it to infiltrate in to the water table.~~a planted depression that allows rainwater runoff from impervious areas like roofs, driveways, walkways, parking lots, and compacted lawn areas, to be captured and absorbed. A rain garden shall be planted with plants that have root systems that enhance infiltration, maintain, or even augment soil permeability, and provide moisture redistribution.~~

CHAPTER 1351 (BASIC STANDARDS FOR RESIDENTIAL OCCUPANCY)

1351.25 MAINTENANCE OF ROOFS, GUTTERS, DOWNSPOUTS AND CHIMNEYS.

(a) All roofs of every dwelling structure shall be installed and maintained weathertight and shall be equipped with gutters and downspouts. Accessory buildings with less than 100 square feet of roofing area are not required to have gutters and downspouts. In cases of ~~existing~~ accessory buildings, if the roof area served by the specific downspout does not exceed 500 square feet, measured horizontally and if, in the opinion of the Building Commissioner, the drainage does not cause excessive erosion or water damage, or does not create a nuisance on public or private property, then downspouts need not be connected to the public storm sewer system. All roofs, gutters, downspouts and chimneys shall be maintained in a good state of repair.

(b) For purposes of this section, “weather-tight” and “in good repair” means that the roof, gutters and downspouts passed an inspection pursuant to subsection (d) hereof.

- (c) All chimneys of every dwelling structure shall be maintained structurally sound and in good repair. For purposes of this section, “structurally sound and in good repair” means free of deteriorated, loose or missing mortar and broken, missing or deteriorated bricks or other appropriate building materials, and that the seal to the home is weathertight.
- (d) For purposes of this section, “approved roofs, gutters, downspouts and chimneys” include, but are not limited to, the items contained in Appendix Schedule V of this Housing Code.
- (e) Any change in any of the systems named above of a dwelling or unit thereof may require that a permit be obtained from the Building Department, pursuant to the provisions of Section 1311.06 of the Building Code.
- (f) Downspouts shall either be connected to a public storm sewer or diverted into a rain barrel or rain garden.
- (1) ~~However, one or more downspouts may be diverted into a rain barrel.~~ Rain barrels ~~or containers~~ shall be covered at all times and incorporate a drainage system that directs any overflow into the public storm sewer or into a rain garden that can manage the flow of water on-site. Rain barrels are permitted in the rear, front, corner, and interior side yards. Rain barrels located in the front yard or corner side yard that are visible from the public street are subject to review and approval by the Architectural Board of Review.
 - (2) In-ground storm water management systems may include, but are not limited to, bioretention (rain gardens), infiltration trench (French drain), or pervious pavement. ~~One or more downspouts may be directed to a rain garden.~~
 - (3) The overflow must be directed away from the dwelling’s or building’s foundation; must not cause excessive erosion or water damage; and must not divert water onto the adjacent properties or public right of way.
 - (4) All rain gardens or rain barrels shall be designed and installed per current best practice recommendations by the Ohio Environmental Protection Agency (Ohio EPA) and the Cuyahoga Soil and Water Conservation District (Cuyahoga SWCD).