

Cleveland Facade Ordinance

CHAPTER 3143 – EXTERIOR WALLS AND APPURTENANCES

3143.01 Definitions

3143.02 Inspection and Reporting Requirements for Exterior Walls and Appurtenances; Fee

3143.03 Certificate of Exterior Walls and Appurtenances Inspection

3143.04 Rules

3143.99 Penalties

§ 3143.01 Definitions

(a) "Substantial structure" means any structure of any construction type or use that is five (5) stories or seventy-five (75) feet above grade, whichever is shorter, at any point along its perimeter.

(b) "Protected distance" means the horizontal distance measured perpendicular from any substantial structure to a public way, public land, other structure or adjoining property.

(c) "Qualified inspector" means either of the following: (1) a design professional certified in inspection of the specific elements that make up the facade of the structure, and licensed by the State of Ohio; or (2) a special inspector or inspection agency accredited and experienced in the specific type of structure being inspected, and qualified under the Ohio Building Code for special inspectors.

(Ord. No. 1533-15. Passed 4-4-16, eff. 6-6-16; Am. Ord. No. 326-18. Passed 4-2-18, eff. 4-3-18)

§ 3143.02 Inspection and Reporting Requirements for Exterior Walls and Appurtenances; Fee

In order to maintain a building's exterior walls and appurtenances in a safe condition, the following requirements shall apply to all buildings that are at least five (5) stories or seventy-five (75) feet above grade, whichever is shorter, have a protected distance that is equal to or less than the height of the substantial structure from its tallest height above grade, and are thirty (30) years or older. This section shall not apply to one-, two- or three-family residential buildings:

(a) **Inspection Requirements.** The owner of a substantial structure shall conduct a critical inspection of the condition of exterior walls and appurtenances at least once every five (5) years.

(1) Such inspection shall be conducted and witnessed by a qualified inspector, by or on behalf of the owner of the building. Such inspection shall meet or exceed the general inspection standards under the ASTM Standards for Periodic Inspection of Building Facades for Unsafe Conditions contained in Designation E2270-14. Any areas found to be deficient in the general inspection shall require a detailed inspection.

(2) The owner shall complete such inspection and file a report within the following time:

A. All new inspections and reports for structures fifty (50) years or older shall be completed and filed within one (1) year of the effective date of this section, and successive inspections and reports shall be completed every five (5) years from the date of the original inspection report filed in accordance with division (b).

B. All new inspections and reports for structures thirty (30) years to fifty (50) years shall be completed and filed within two (2) years of the effective date of this section, and successive inspections and reports shall be completed every five (5) years from the date of the original inspection report filed in accordance with division (b).

C. If a structure has already been inspected prior to the adoption of this chapter, the owner must file a report of that inspection within one (1) year of the effective date of this section, and successive inspections and reports shall be completed every five (5) years from the date of the original inspection report filed in accordance with division (b).

(b) Inspection Report. The owner of a substantial structure shall register with the Director of Building and Housing by submitting a written report, prepared by a qualified inspector who conducted or supervised the inspection, as follows:

(1) Such report shall clearly document the condition of the exterior walls and appurtenances as either safe, unsafe, or safe with a repair and maintenance program. The report shall document all significant deterioration, unsafe conditions, and movement observed, in sufficient detail so that a comparison of successive reports will indicate any change of condition. Such report must be signed by and bear the professional seal of the qualified inspector.

(2) Such report shall be filed with the Director of Building and Housing together with a fee, in an amount to be determined by the Board of Control, within the time specified in division (a)(2).

(3) Such report shall include the following:

- A. The location of the building by address and permanent parcel number;
- B. The year the building was built;
- C. The date the building was inspected;
- D. The name, address, and title of the person or firm who conducted the inspection;
- E. Complete description of inspections conducted based on ASTM E2270-14, including the locations of and descriptions the general inspection areas and any of detailed inspection areas.

(4) Such inspection report shall be filed with Director of Building and Housing every five (5) years from the date of the original report. The owner shall keep and maintain the complete and full inspection documentation on-site or produce said documentation within forty-eight (48) hours of any request by the Director of Building and Housing or the Chief of Fire, or their designees.

(c) Notice of Unsafe Condition. Upon the discovery of an unsafe condition relating to the exterior walls or appurtenances, the owner shall notify the Director of Building and Housing immediately in writing of such condition, and immediately begin repair, reinforcement or precautionary measures, with the required permits, to abate the unsafe condition to ensure public safety.

(Ord. No. 1533-15. Passed 4-4-16, eff. 6-6-16; Am. Ord. No. 326-18. Passed 4-2-18, eff. 4-3-18)

§ 3143.03 Certificate of Exterior Walls and Appurtenances Inspection

(a) Issuing of Certificates. The Director of Building and Housing shall issue an exterior wall and appurtenances certificate only after having received satisfactory proof of inspection, and after the inspection report of the architect or engineer reports a safe condition. No building owner or person in control of a building, subject to the requirements in this chapter shall permit the substantial structure to be occupied without such certificate.

(b) Keeping and Producing of Certificates. The owner or person in control of a building subject to the requirements of this chapter shall keep and maintain such certificate on-site or produce said certificate within forty-eight (48) hours of any request by the Director of Building and Housing or officials or the Chief or Fire or officials, or their designees. No building owner or person in control subject to the requirements of this chapter shall fail to keep and maintain or produce the required certificate.

(Ord. No. 1533-15. Passed 4-4-16, eff. 6-6-16; Am. Ord. No. 326-18. Passed 4-2-18, eff. 4-3-18)

§ 3143.04 Rules

The Director of Building and Housing shall promulgate any rules as may be necessary for the purposes of carrying out the provisions of this chapter.

(Ord. No. 1533-15. Passed 4-4-16, eff. 6-6-16; Am. Ord. No. 326-18. Passed 4-2-18, eff. 4-3-18)

§ 3143.99 Penalties

In addition to any other method of enforcement provided for in Chapter 3103, whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree. Each day during which noncompliance or a violation continues shall constitute a separate offense. Organizations convicted of an offense shall be fined as provided by Cleveland Codified Ordinance Sections 601.10 and 601.99.

(Ord. No. 1533-15. Passed 4-4-16, eff. 6-6-16; Am. Ord. No. 326-18. Passed 4-2-18, eff. 4-3-18)

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Wiss, Janney, Elstner Associates, Inc.

Engineers, Architects, Materials Scientists

9655 Sweet Valley Drive, Suite 3, Cleveland, OH 44125

Tel 216-642-2300 | Fax 216-642-6288

www.wje.com

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