

CHAPTER 4

BUILDINGS

PART 1

NUMBERING OF BUILDINGS

- § 4-101. NUMBER ASSIGNED TO EVERY BUILDING.
- § 4-102. NUMBERING SYSTEM.
- § 4-103. REQUIREMENT FOR NUMBERS.
- § 4-104. NOTICE TO PLACE OR REPLACE NUMBERS.
- § 4-105. PENALTY FOR VIOLATION.

PART 2

DILAPIDATED STRUCTURES

- § 4-201. DEFINITIONS.
- § 4-202. DILAPIDATED STRUCTURES.
- § 4-203. RESPONSIBILITY FOR CORRECTING DILAPIDATED STRUCTURE NUISANCES.
- § 4-204. ENFORCEMENT AND NOTIFICATION.
- § 4-205. RIGHT TO APPEAL.
- § 4-206. DECISION OF THE BOARD OF APPEALS.
- § 4-207. NONCOMPLIANCE, EQUITABLE REMEDY.
- § 4-208. REIMBURSEMENT AND LIENS.
- § 4-209. EMERGENCY ORDERS.
- § 4-210. PENALTIES.

PART 1

NUMBERING OF BUILDINGS

§ 4-101. NUMBER ASSIGNED TO EVERY BUILDING. [Ord. 11-71, 9/8/1971, § 1; as amended by Ord. 18-83, 12/22/1983]

A number shall be assigned by the City of Hermitage to every building on any street in the City.

§ 4-102. NUMBERING SYSTEM. [Ord. 11-71, 9/8/1971, § 2]

All buildings shall be numbered according to a uniform grid system allowing 100 numbers in 500 feet north and south and 100 numbers in 500 feet east and west with a base line at the Shenango River for all numbering on the streets running

east and west, and a base line at State Street for all numbering on the streets running north and south. On streets south of State Street, buildings located on the west side or the south side of any street, shall bear even numbers in the last digit; buildings located on the east side or north side of any street, shall bear odd numbers in the last digit. On streets north of State Street, buildings located on the east side or south side of any street shall bear even numbers in the last digit; buildings located on the west side or north side of any street, shall bear odd numbers in the last digit.

§ 4-103. REQUIREMENT FOR NUMBERS. [Ord. 11-71, 9/8/1971, § 3]

Numbers of durable material at least three inches in height and of color contrasting with the background surface shall be affixed to the residence or building or other structure at the assigned address and must be visible from the street. If street side mail boxes are used the number shall be affixed to the mail box.

§ 4-104. NOTICE TO PLACE OR REPLACE NUMBERS. [Ord. 11-71, 9/8/1971, § 4; as amended by Ord. 18-83, 12/22/1983]

If the owner or occupant of any building shall fail, refuse or neglect to place, or replace when necessary, the building numbers, the City Manager may cause a notice to be personally served on such owner or occupant or mailed by certified mail to his last known address, ordering him to place or replace the numbers. Such owner or occupant shall comply with such notice within five days from the date of service.

§ 4-105. PENALTY FOR VIOLATION. [Ord. 11-71, 9/8/1971, § 5; as amended by Ord. 11-98, 9/23/1998]

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$5 nor more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

PART 2
DILAPIDATED STRUCTURES

§ 4-201. DEFINITIONS. [Ord. 12-83, 11/9/1983, § 1; as amended by Ord. 8-85, 5/8/1985]

DILAPIDATED STRUCTURE — Any structure of which either all or part thereof is found to be dangerous to either the life, health or safety of its occupants or persons residing in the vicinity of said structure or of the public because it is damaged, decayed or structurally unsafe. Structures with any of the following conditions may also be defined as dilapidated:

1. Foundation caving in.
2. Retaining walls, or portions thereof, higher than three feet that are caving in.
3. Any structure which is vacant and does not have windows, doors or other openings properly secured.
4. Any structure gutted by fire where no attempt is made to repair it within 30 days of the date the structure burned; provided, there is no current investigation of the structure related to the fire.

OCCUPANT — Any person, firm or corporation, association, club, co-partnership, society or any other legal entity that lives in or has actual possession of a residential or nonresidential structure.

OWNER — The owner or owners of real property; a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee or his authorized representative. The owner may be any person, firm or corporation, association, club, co-partnership, society or any other entity.

STRUCTURE — Anything built, constructed or erected which requires location on the ground or attachment to something located on the ground.

§ 4-202. DILAPIDATED STRUCTURES. [Ord. 12-83, 11/9/1983, § 2; as amended by Ord. 8-85, 5/8/1985]

No owner or occupant of any property shall permit any dilapidated structure nuisance to exist within the City of Hermitage.

§ 4-203. RESPONSIBILITY FOR CORRECTING DILAPIDATED STRUCTURE NUISANCES. [Ord. 12-83, 11/9/1983, § 3; as amended by Ord. 8-85, 5/8/1985]

The owner or occupant of any property on which is located a dilapidated structure nuisance, either vacant or occupied, shall, upon notice as provided herein:

- A. Take the necessary corrective action to repair the structure, which has been declared a nuisance.
- B. If the structure is beyond repair, completely remove it from the property. Materials from these structures shall be disposed of at State approved disposal sites. Buildings shall be removed to concrete foundations. The basement shall be filled with debris-free material and compacted sufficiently so that no significant settlement shall occur. The ground level and the basement floor shall be cracked sufficiently to allow for proper drainage.

§ 4-204. ENFORCEMENT AND NOTIFICATION. [Ord. 12-83, 11/9/1983, § 4; as amended by Ord. 8-85, 5/8/1985]

1. The City Manager or his/her authorized representative is hereby charged with the duty of enforcing the provisions of this Part. Furthermore, the City Manager and his/her authorized representative is hereby empowered to inspect grounds on which dilapidated structures are located to determine if there is compliance with the provisions of this Part. If noncompliance with the provisions of this Part constitutes a nuisance or if any condition, structure or improvement poses a threat to the health, safety or welfare of the public, he shall issue a written notice to be served by registered or certified mail upon the owner, lessee or occupants of said premises, or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.
2. All owners or occupants shall take corrective action within 30 days of receiving a written notice, which states the conditions of the structure that cause the violation and which prescribes the action necessary to correct the conditions.

§ 4-205. RIGHT TO APPEAL. [Ord. 12-83, 11/9/1983, § 5; as amended by Ord. 8-85, 5/8/1985]

Any owner or occupant affected by any written notice, which has been issued in connection with the enforcement of any provision of this Part, may request and shall be granted a hearing on the matter before the Board of Appeals. Provided, that such owner or occupant shall file with the City Manager a written request containing a specific statement of why the owner or occupant wishes to appeal. Said written request must be received by the City Manager within 30 days of the owner or occupant's receipt of the written notice.

§ 4-206. DECISION OF THE BOARD OF APPEALS. [Ord. 12-83, 11/9/1983, § 6; as amended by Ord. 8-85, 5/8/1985]

The Board of Appeals may exercise one of three options upon hearing the appeal:

- A. The Board of Appeals may sustain the City's order; consequently, the owner or occupant shall have 20 days from receipt of the Board of Appeals decision to take corrective action.
- B. The Board of Appeals may find the prescribed corrective action is excessive; in which case, the Board of Appeals may outline the necessary corrective action. Then, the owner or occupant has 20 days from receipt of the Board's decision to take the prescribed corrective action.
- C. The Board of Appeals may revoke the City's order.

§ 4-207. NONCOMPLIANCE, EQUITABLE REMEDY. [Ord. 12-83, 11/9/1983, § 7; as amended by Ord. 8-85, 5/8/1985]

In addition to the penalty provided in § 210, the City Manager or his authorized representative is hereby authorized, when any owner or occupant fails to take corrective action or to appeal within 30 days notice, or to take corrective action within 20 days from receipt of the Board of Appeals' decision, to take the necessary corrective action and certify the cost of said action with the City Solicitor.

§ 4-208. REIMBURSEMENT AND LIENS. [Ord. 12-83, 11/9/1983, § 8; as amended by Ord. 8-85, 5/8/1985]

The City Solicitor shall bill the owner or occupant for the cost of the necessary corrective action stipulated in § 207. If the owner or occupant does not fully reimburse the City for action within the stated time, the City Solicitor shall file a lien against the property.

§ 4-209. EMERGENCY ORDERS. [Ord. 12-83, 11/9/1983, § 9; as amended by Ord. 8-85, 5/8/1985]

1. Whenever the City Manager or his authorized representative finds that a dilapidated structure is in such condition as to require immediate action to protect either the life, health or safety of its occupants, persons residing in the vicinity of said structure, or the public, the City Manager or his representative may require the owner or occupant to take immediate action to correct the condition. The notice shall state the conditions causing the emergency, prescribe the action necessary to correct it, and inform the owner or occupant that the City will cause the necessary corrective action to be taken if the owner or occupant does not act immediately.
2. Any person to whom such order is directed shall comply therewith. They may thereafter, upon petition directed to the Board of Appeals, be afforded a hearing as prescribed in the Hermitage Code of Ordinances. Depending upon the findings of the Board at such hearing, as to whether the provisions of

this Part have been complied with, the Board shall continue such order or modify or revoke it.

§ 4-210. PENALTIES. [Ord. 12-83, 11/9/1983, § 10; as amended by Ord. 11-98, 9/23/1998]

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$5 nor more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.