

**ORDINANCE 2021- 05**

**AN ORDINANCE REPEALING ORDINANCE 2018-16 ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND ADOPTING ORDINANCE 2021-05.**

WHEREAS, Newton Falls City Council adopted the International Property Maintenance Code in Ordinance 2018-16 on October 1, 2018; and

WHEREAS, The Newton Falls Planning and Zoning Commission recommends Newton Falls City Council repeal the 2018-16 International Property Maintenance Code and adopt the updated 2021 International Property Maintenance Code, Chapters one, two and three, as amended; and

WHEREAS, The Newton Falls Planning Commission recommend Newton Falls City Council amend Section 108, appeals of the 2021 code to reflect the changes adopted in Ordinance 2001-02, passed by City Council on January 22, 2001.

THE COUNCIL FOR THE CITY OF NEWTON FALLS, STATE OF OHIO, HEREBY ORDAINS:

SECTION I: The Newton Falls City Council hereby adopts the 2021 International Property Maintenance Code, Chapters 1, 2, and 3 as amended in marked attached Exhibit A, as if fully rewritten herein.

SECTION II: Sections 106, Approval, 106.5 & 106.6; Section 111, Unsafe Structures and Equipment, 111.2.1; Section 202, General Definitions, Historic Buildings; Section 303, Swimming Pools, Spas and Hot Tubs of the 2021 International Property Maintenance Code are hereby repealed.

SECTION III: Sections 108, Board of Appeal of the 2021 International Property Maintenance Code sets forth the process by which a decision of the code official may be appealed and establishes a separate board of appeals to hear said appeals.

City Council has reviewed this provision and is satisfied that the Planning and Zoning Commission, established by the Charter and embowered by the City's Zoning Ordinances, is qualified to handle appeals under the Property Maintenance Code, and therefore it is redundant and unnecessary to establish an appeals board.

Section 108 is hereby amended as follows: Section 108.1, Membership of the Board. The Board of Appeals shall be the Newton Falls Planning and Zoning Commission.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.

\_\_\_\_\_  
Mayor, Kenneth A. Kline

ATTEST: \_\_\_\_\_  
Clerk of Council