

EMERGENCY

City of Cincinnati

An Ordinance No. 358

CMZ

*AWB*

- 2020

**MODIFYING** the Administrative Code of the City of Cincinnati by amending Article XXI, Section 2, "Duties of the Director of Buildings and Inspections," to add the responsibilities associated with administration and enforcement of the City's weed, high grass, and litter regulations and the Private Lot Abatement Program ("PLAP") to the duties of the Director of the Department of Building and Inspections; and **AMENDING** Article VI, Section 2, "Duties of Director of the Department of Public Services," to remove the responsibilities associated with administration and enforcement of the City's weed, high grass, and litter regulations and the PLAP; and further **AUTHORIZING** the transfer of the sum of \$40,000 from the unappropriated surplus of Stormwater Management Fund 107 and the transfer of \$787,520 within Stormwater Management Fund 107 from and to various operating accounts of Stormwater Management Fund 107 for the purpose of transferring the Private Lot Abatement Program from the Department of Public Services to the Department of Buildings and Inspections, in accordance with the attached Schedule of Transfer.

WHEREAS, the Private Lot Abatement Program is being transferred from the Department of Public Services (DPS) to the Department of Buildings and Inspections (B&I); and

WHEREAS, the Administrative Code needs to be amended to reflect the transfer of duties associated with the Private Lot Abatement Program from the Director of DPS to the Director of B&I; and

WHEREAS, funds need to be transferred to provide for the reassignment of these duties from DPS to B&I; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio, with three-fourths of its members concurring:

Section 1. That Article XXI, Section 2 of the Administrative Code, "Duties of the Director of Buildings and Inspection," is hereby amended as follows:

**Sec. 2. – Duties of the Director of Buildings and Inspection.**

The director of the department of buildings and inspections shall be certified by the board of building standards for the state of Ohio as a building official for residential and non-residential purposes, or shall be certified to serve as an interim building official. The director shall also be a registered professional engineer or registered architect in the state of Ohio, or be eligible for registration. The director of the department of buildings and

inspections shall be the chief building official for the city for the purposes of administering and adjudicating orders under the Cincinnati building code, under revised code chapter 3781, revised code chapter 3791, and the rules made under them, including the Ohio building code and the residential code of Ohio, and under all other related building and housing codes.

*Permits and Inspections.*

The director of buildings and inspections shall oversee the administration and enforcement of all building, housing, and related codes and ordinances under the jurisdiction of the permits and inspections deputy as they relate to the construction and erection of new structures, the renovation of existing structures, the construction and erection of alterations and additions to existing structures, and other alterations and improvements to real property; shall oversee the building permitting and building inspections functions of the city; shall oversee the administration and enforcement of all zoning regulations under the jurisdiction of the zoning administrator; shall oversee the protection and preservation of the city's historic assets and historic districts, and the administration and enforcement of the city's historic preservation regulations; shall serve as the floodplain administrator and oversee the administration and enforcement of floodplain laws and regulations; and shall perform other duties assigned by the city manager or by ordinance of the council.

*Property Maintenance Code Enforcement.*

The director of buildings and inspections shall oversee the administration and enforcement of the property maintenance-related provisions of the housing, building, zoning, and related codes and ordinances under the jurisdiction of the property maintenance deputy as they relate to the maintenance of existing structures and existing uses of land; administration and enforcement of the city's weed, high grass, and litter regulations contained in Municipal Code Chapters 714, "Littering," and 731, "High Grass"; and shall perform other duties assigned by the city manager or by ordinance of the council.

The director of building and inspections and those designated inspectors and employees, when enforcing the provisions of ordinances or laws within the scope of their duties related to enforcement of the city's weed, high grass, and litter regulations, shall be vested with the powers of police officers of the city.

Section 2. That existing Section 2 of Article XXI of the Administrative Code, "Duties of the Director of Buildings and Inspection," is hereby repealed.

Section 3. That Article VI, Section 2 of the Administrative Code, "Duties of Director of Public Services," is hereby amended as follows:

## **Sec. 2. – Duties of Director of Public Services.**

The director of public services shall have the duty and responsibility for the following areas of jurisdiction: repair, maintenance, and cleaning of all streets, boulevards, alleys, viaducts, sidewalks, curbing, street crossings, grade separations, and other public ways and highways belonging to the city; second-level walkway capital improvements; installation, operation, and maintenance of regulatory signs, pavement markings, and hazard markings; collection and disposal of city wastes; ~~administration and enforcement of the city's weed, high grass, and litter regulations contained in Municipal Code Chapters 714, "Littering" and 731, "High Grass";~~ maintenance of a complete set of records and maps showing all pertinent information as to the public services and properties set forth herein in the charge of the department; and shall perform other duties as may be imposed by the city manager or by ordinance of the council.

~~The director of public services and those designated inspectors and employees, when enforcing the provisions of ordinances or laws within the scope of their duties related to enforcement of the city's weed, high grass, and litter regulations, shall be vested with the powers of police officers of the city.~~

Any provisions of the Cincinnati Municipal Code that refer to the department of public works or the director of public works shall be read to mean the department of public services or the director of the department of public services, so far as they are consistent with the duties set forth in this article and in accordance with the direction of the city manager.

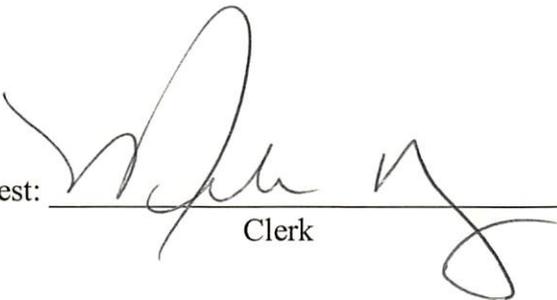
Section 4. That existing Section 2 of Article VI of the Administrative Code, "Duties of Director of Public Services," is hereby repealed.

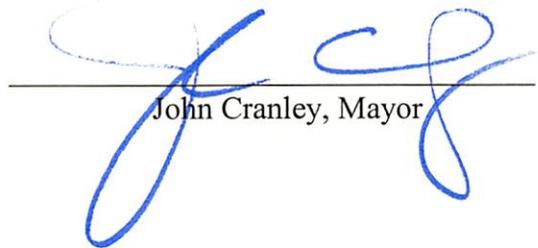
Section 5. That the transfer of the sum of \$40,000 from the unappropriated surplus of Stormwater Management Fund 107 and the transfer of \$787,520 existing within Stormwater Management Fund 107 from and to various operating accounts according to the Schedule of Transfer, attached hereto and by this reference made a part hereof, is hereby authorized for the purpose of transferring the Private Lot Abatement Program ("PLAP") from the Department of Public Services ("DPS") to the Department of Buildings and Inspections ("B&I") effective November 1, 2020.

Section 6. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 5 hereof and the Schedule of Transfer attached hereto.

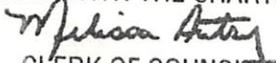
Section 7. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to reflect the new duties and transfer the resources needed for the Private Lot Abatement Program to B&I so that work can continue uninterrupted.

Passed: October 29, 2020

Attest:   
Clerk

  
John Cranley, Mayor

New language underscored. Deleted language indicated by strikethrough.

I HEREBY CERTIFY THAT ORDINANCE NO 358-2020  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 11-10-2020  
  
CLERK OF COUNCIL

AT ORDINANCE  
IN THE CITY OF  
THE CHARTER  
  
OF COUNCIL

AT ORDINANCE