

**ORDINANCE NO. 2026-30**

CITY OF CLYDE, OHIO

**ADOPTING AND IMPLEMENTING THE RESIDENTIAL CODE OF OHIO FOR ONE-, TWO-, AND THREE-FAMILY DWELLINGS WITHIN THE CITY OF CLYDE; AMENDING PART THIRTEEN (BUILDING CODE) OF THE CODIFIED ORDINANCES OF THE CITY OF CLYDE BY DELETING EXISTING CHAPTER 1303 AND CREATING NEW CHAPTER 1301 – BUILDING DEPARTMENT.**

**WHEREAS**, the City of Clyde, Ohio (the "City") is a municipal corporation duly organized and existing under the laws of the State of Ohio and possesses authority to adopt and enforce local building regulations pursuant to Ohio R.C. 731.231 and Article XVIII, Section 3 of the Ohio Constitution; and

**WHEREAS**, the Ohio Board of Building Standards has adopted the Residential Code of Ohio (RCO) for One-, Two-, and Three-Family Dwellings pursuant to Ohio R.C. 3781.10, establishing statewide minimum standards for the construction, alteration, and maintenance of residential structures, and such code is updated periodically to reflect current building science, safety research, and construction practices; and

**WHEREAS**, the City currently administers and enforces the Ohio Building Code for commercial and industrial construction through its Department of Building, Engineering, and Inspection, and this Council finds it necessary and appropriate to extend the City's building code enforcement authority to include residential construction in order to provide consistent oversight across all construction activity within the City; and

**WHEREAS**, City Council finds that the public health, safety, and welfare of the residents of the City of Clyde are best served by ensuring that all regulated residential construction, including new construction, additions, alterations, renovations, and changes of occupancy is performed in compliance with minimum standards for building, structural integrity, fire safety, electrical systems, plumbing, and mechanical systems; and

**WHEREAS**, the City has experienced an increase in the purchase, rehabilitation, and resale of residential properties by investors and speculators, commonly referred to as "house flipping," and Council finds that such properties are frequently subject to rapid and extensive renovation work that, when performed without required permits and inspections, may conceal substandard construction, deferred safety deficiencies, improper electrical wiring, inadequate structural modifications, or other code violations that are not visible or readily apparent to subsequent purchasers, their lenders, or home inspectors, conditions that create ongoing risk to future occupants and neighbors; and

**WHEREAS**, Council further finds that residential properties held for rental or investment purposes, including properties not occupied by the owner as a primary residence, present a heightened risk to tenants and to the broader community when renovation, repair, or rehabilitation work is performed without the oversight provided by required permits and inspections, as tenants generally have limited ability to independently assess the safety or structural integrity of housing they occupy and may lack the leverage to require corrections prior to occupancy; and

**WHEREAS**, the Residential Code of Ohio, once adopted by a municipality, applies uniformly to all regulated residential construction within that jurisdiction without regard to the ownership, occupancy, or investment status of the property, and it is the intent of City Council that these provisions be enforced as written and applied equally to all persons and entities performing regulated work within the City; and

**WHEREAS**, Ohio R.C. 3781.06 recognizes the right of owner-occupants of single-family dwellings to perform certain construction and repair work on their own primary residence without holding a contractor's license, and the City does not intend to restrict that right; however, such owner-performed work remains subject to the permit and inspection requirements of the Residential Code of Ohio, which are not intended to burden the homeowner but rather to provide independent verification that the work meets minimum safety standards, a protection that benefits the homeowner, any future occupants or purchasers of the property, and the community at large; and

**WHEREAS**, Council acknowledges that unpermitted do-it-yourself construction, while frequently undertaken in good faith, may involve conditions, including improper electrical connections, inadequate structural support, non-compliant plumbing, improper venting, and similar deficiencies that are not detectable without inspection, that may worsen over time, and that can pose risk to occupants, neighboring properties, and emergency responders; and that the permit and inspection process, by providing a professional review of such work, serves as a reasonable and low-cost safeguard against these known risks; and

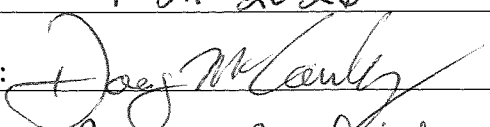
**WHEREAS**, the adoption of the Residential Code of Ohio will promote consistency with statewide construction standards, support real estate transactions by ensuring that permit records and certificates of occupancy are available for residential properties, assist lenders and title companies in verifying compliance, and contribute to the long-term stability, safety, and quality of the City's housing stock


**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Clyde, State of Ohio:


**SECTION 1.** Chapter 1301. – Building Department, of the Codified Ordinances of the City of Clyde, Ohio, is hereby created as shown in attached Exhibit “A.”

**SECTION 2.** Existing Chapter 1303. – Building Department, of the Codified Ordinances of the City of Clyde, Ohio, is hereby repealed in its entirety.

Adopted: 4-21-2026

Authorized: 

Attest: 

Approved to form: 

## **EXHIBIT A**

### **CHAPTER 1301. – BUILDING DEPARTMENT**

#### **Sec. 1301.01. - Establishment.**

There is hereby established a Department of Building, Engineering, and Inspection for the City of Clyde, Ohio (the "Building Department").

The Building Department shall be responsible for the administration and enforcement of all building codes adopted by the City under Part Thirteen of these Codified Ordinances, including but not limited to the following:

- (a) The Ohio Building Code (OBC).
- (b) The Residential Code of Ohio (RCO), as adopted in Chapter 1302.
- (c) The National Electrical Code, as adopted in Chapter 1335.
- (d) The Ohio Plumbing Code, as adopted in Chapter 1336.
- (e) The Ohio Mechanical Code.
- (f) Any other technical codes adopted within Part Thirteen of these Codified Ordinances.

All such codes shall be enforced as adopted and as amended from time to time by the applicable state authority.

#### **Sec. 1301.02. - Purpose.**

The purpose of all building codes adopted under Part Thirteen of these Codified Ordinances, including the Residential Code of Ohio, is to:

- (a) Establish uniform minimum standards for the erection, construction, repair, alteration, and maintenance of buildings and structures — including one-, two-, and three-family residential dwellings, their accessory structures, and industrialized units — as they relate to energy conservation, structural safety, and sanitation for the intended use and occupancy of such structures.
- (b) Permit, to the fullest extent feasible, the use of materials, methods, devices, and improvements that tend to reduce construction costs without compromising the minimum standards required for the health, safety, and security of occupants.
- (c) Encourage standardization of construction practices, methods, materials, equipment, and techniques for both residential and commercial construction within the City.
- (d) Ensure that all construction within the City of Clyde complies with applicable state-adopted codes as required by Ohio law.

## **EXHIBIT A**

### **Sec. 1301.03. – Administration and Enforcement.**

The Building Department shall administer and enforce all building codes adopted under Part Thirteen of these Codified Ordinances. In particular:

- (a) **Commercial and Industrial Construction.** Enforcement of the Ohio Building Code for commercial and industrial construction shall continue as presently administered by the Building Department.
- (b) **Residential Construction.** The most current edition of the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings, as adopted by the Ohio Board of Building Standards pursuant to Ohio R.C. 3781.10 and as may be amended and updated from time to time, shall apply to and be enforced within the City of Clyde for all applicable residential construction, including new construction, additions, alterations, and repairs to one-, two-, and three-family dwellings and their accessory structures.

No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure regulated under Part Thirteen without first obtaining the permits and approvals required under these Codified Ordinances and the applicable adopted code.

### **Sec. 1301.04. – Contracted Services.**

The City Manager may contract professional third-party inspection services when necessary.

### **Sec. 1301.05. - Fees.**

Permit, inspection, and other fees charged by the Building Department shall be established by ordinance of City Council. The current schedule shall be maintained on file in the City Manager's office and posted on the City's official website.

### **Sec. 1301.06. – Inspections.**

The Building Department shall conduct such inspections as are required by the applicable adopted code. The Building Official or his or her designee is authorized to enter any building, structure, or premises at any reasonable time to perform inspections and enforce these provisions, consistent with applicable law.

All required inspections shall be requested by the permit holder in accordance with the procedures established by the Building Department. No work shall be concealed prior to the required inspection and approval.

## **EXHIBIT A**

### **Sec. 1301.07. - Appeals.**

Any person aggrieved by a decision, order, or interpretation of the Building Department may appeal to the Board of Zoning Appeals, which is hereby designated to carry out the duties of a Board of Appeals as established by the Residential Code of Ohio and the Ohio Building Code.

Appeals shall be filed and processed in accordance with the procedures set forth in Chapter 109 of these Codified Ordinances (Standard Appeals Process) and any applicable requirements of the adopted code under which the appeal arises. The filing of an appeal does not stay enforcement unless specifically ordered by the Board.

### **Sec. 1301.99. – Penalty.**

- (a) Whoever violates any provision of this chapter or any code adopted pursuant to Part Thirteen of these Codified Ordinances, or fails to comply with any order issued under the authority of this chapter, shall be guilty of a misdemeanor of the first degree for the first offense. Each day of continuing violation after notice of the violation shall constitute a separate offense.
- (b) In addition to or in lieu of criminal prosecution, the City may seek civil enforcement, including injunctive relief or an order to abate, correct, or remove any work performed in violation of this chapter or any adopted code.
- (c) The penalties set forth in this section shall not preclude the City from pursuing any other remedies available at law or in equity.