

**ORDINANCE NO. 18-2022**

**TITLE: AMENDING BARBERTON CODIFIED ORDINANCE  
CHAPTER 1462 – ICC INTERNATIONAL PROPERTY MAINTENANCE CODE**

**AN ORDINANCE AMENDING ORDINANCE NO. 126-2020 TO AMEND THE BARBERTON CODIFIED ORDINANCES, CHAPTER 1462.06 “AMENDMENTS” TO FOLLOW UPDATED VERSIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC).**

**WHEREAS**, Barberton City Council passed Ordinance No. 126-2020 to adopt the most current edition of the International Property Maintenance Code (IPMC); and

**WHEREAS**, the IPMC generally adopts a new code every three (3) years and the current code was adopted in September, 2021; and

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

**SECTION 1.** That Council hereby amends Ordinance No. 126-2020, Chapter 1462 “ICC International Property Maintenance Code” Section 1462.06 “Amendments” to make it the most current edition adopted by showing said amendment with a ~~strike through~~ for any deletions and **bold** for any additions to read as follows:

**1462.06 AMENDMENTS**

The ICC International Property Maintenance Code, as adopted in § 1462.01 of this chapter, **will follow the most current edition adopted of the IPMC along with corresponding changes made to the section numbers where the contents do not change, is hereby amended as follows:**

(a) deleting “International” and inserting “Ohio” in all references pertaining to the Building Code, Mechanical Code, Plumbing Code, Electrical Code, Fire Code and Fuel Gas Code;

(b) deleting all references of “International Zoning Code” and inserting “Barberton Development Code;”

(c) deleting any and all reference to the ICC (International Code Council), Chapter 8;

(d) deleting Section § ~~103.5~~ **104**, “Fees,”

(e) ~~inserting into Section 101.1, “Title,” the following verbiage as shown in bold:~~

~~These regulations shall be known as the Property Maintenance Code of the City of Barberton, hereinafter referred to as “this code.”~~

(e) Adding the following definition to § 202, “General Definitions”:

**TEMPORARY HOUSING.** Any tent, trailer, or other structure used for human shelter, not to include recreation purposes, which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises.

(f) inserting into the first paragraph of Section 302.4, “Weeds” the following verbiage:

All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

(g) Adding the following as § 302.7.1:

**302.7.1 – Tents and/or Temporary Housing**, as defined herein, shall not be used to cover or store personal property or equipment and shall not be erected or used for sleeping purposes for more than seven (7) consecutive days. The location of tents shall be as provided in Chapter 1140: Table 1140D: Provided Yard Obstructions on Single and Two Family Lots of the Barberton Development Code.

(h) inserting into the first sentence of Section 303.2, “Enclosures,” the following:

Private swimming pools, hot tubs, and spas, containing water more than 24 inches (610mm) in depth and larger than 250 square feet in size shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool.

(i) Adding the following regulation to § 304, “Exterior Structure”:

304.10.1 Decks, porches, balconies and yard areas. No furniture of any kind shall be located on a deck, porch, balcony or yard area that is not specifically designed as outdoor furniture and has the ability to resist moisture, water and corrosion.

(j) inserting into paragraph 1 of Section 304.14, “Insect Screens,” the following verbiage:

During the period from April 15<sup>th</sup> to November 1<sup>st</sup>, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

(k) Adding the following § 404.8, “Occupancy Limitations”:

**SECTION 404**

**OCCUPANCY LIMITATIONS**

404.8 The use of any temporary housing structure as a means of human shelter is strictly prohibited.

(m) Inserting into paragraph 1 of § 602.3, “Heat Supply”, the following verbiage as shown:

Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1<sup>st</sup> to June 1<sup>st</sup> to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

(n) Inserting into paragraph 1 of § 602.4, “Occupiable Work Spaces”, the following verbiage as shown:

Indoor occupiable work spaces shall be supplied with heat during the period from September 1<sup>st</sup> to June 1<sup>st</sup> to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

**SECTION 2.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

**SECTION 3.** That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed FEBRUARY 14, 2022

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved \_\_\_\_\_ 2022

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Mayor