

ORDINANCE NO: 2020-9
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE AMENDING CHAPTER 1352 OF THE BUILDING CODE OF THE CITY TITLED “REGISTRATION AND BONDING OF CONTRACTORS” BY AMENDING SECTION 1352.02, AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

SECTION 1. Section 1352.02 of the Building Code of the City titled “Bonding Requirement” is hereby amended to read as follows (new material appears like THIS and deleted material appears like ~~this~~):

1352.02 BONDING REQUIREMENT.

- (a) No person, corporation, partnership, firm or other business association shall act in the capacity of a contractor without first submitting a bond for each specific trade or type of work for which a permit is sought from the Commissioner of Buildings, or in his or her absence, the person assuming the Building Commissioner's duties or the person to whom the Building Commissioner has delegated his or her duties thereunder (referred to hereinafter as "Building Commissioner"). Building permits shall be issued only to contractors bonded pursuant to this chapter.
- (b) A twenty thousand (\$20,000.00) dollar bond shall be required for all permits issued as may be required under the Building Codes of the City of Lyndhurst.
- (c) Evidence that the applicant is currently registered or licensed, whatever the case may be, by the City of Lyndhurst, the State of Ohio or any other city or county for the type of work for which a permit is being sought, shall be sufficient evidence of qualification so as to authorize the issuance of the required permit.
- (d) Homeowners, **PERSONALLY RESIDING AT THE PROPERTY AS THEIR PRIMARY RESIDENCE** doing their own work and obtaining the necessary permits, excluding electrical work normally requiring a permit, are exempt from the bonding and insurance requirements contained herein, provided however, any homeowner obtaining a permit under this section accepts responsibility for the work performed by his or herself for the type of work for which a permit has been secured. Homeowners must sign a City of Lyndhurst affidavit form provided by the Building Commissioner. All electrical work requiring a permit shall be performed by a contractor who is licensed and registered with the City of Lyndhurst.

(Ord. 2010-5. Passed 1-18-10.)

SECTION 2. Any and all provisions of Sections 1352.02 inconsistent herewith are hereby repealed but all other provisions of Chapter 1352 of the Building Code of the City shall remain in full force and effect.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Lyndhurst and its residents for the reason that it is necessary to assure that all non-owner occupied dwelling units in the City are safe for those living there. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: February 3, 2020

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City on February 13, 2020 and February 20, 2020.

Clerk of Council

First Reading: February 3, 2020

Second Reading: Suspended

Third Reading: Suspended

PASSED 2-3-2020