



## Legislation Details (With Text)

**File #:** 2188-2016      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 8/25/2016      **In control:** Rules & Reference Committee

**On agenda:** 9/26/2016      **Final action:** 9/27/2016

**Title:** To amend Section 4113.37 of the Columbus Building Code, Title 41, to clarify that City of Columbus registered General Contractors may obtain Building Permits for one-, two-, and three-unit dwellings when the application identifies the City of Columbus licensed Home Improvement Contractor that will be performing the work.

**Sponsors:** Jaiza Page

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/27/2016	1	CITY CLERK	Attest	
9/27/2016	1	MAYOR	Signed	
9/26/2016	1	COUNCIL PRESIDENT	Signed	
9/26/2016	1	Columbus City Council	Approved	Pass
9/19/2016	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** This code change will clarify that a City of Columbus registered General Contractor can obtain a building permit for the construction of a new one-, two-, or three-unit dwelling, or to perform work on an existing one-, two-, or three-unit dwelling, after identifying the City of Columbus licensed Home Improvement Contractor that will be performing the work. This code change will not alter the scope of work allowed to be performed by a City of Columbus registered General Contractor, but rather will codify current policy.

The Board of Review of General and Home Improvement Contractors reviewed and recommended approval of this amendment at its monthly public hearing held on July 6, 2016.

The Columbus Building Commission voted to recommend approval of this amendment at its monthly public hearing held on August 16, 2016.

**FISCAL IMPACT:** None

To amend Section 4113.37 of the Columbus Building Code, Title 41, to clarify that City of Columbus registered General Contractors may obtain Building Permits for one-, two-, and three-unit dwellings when the application identifies the City of Columbus licensed Home Improvement Contractor that will be performing the work.

**WHEREAS,** it is necessary to amend Section 4113.37 of the Columbus City Codes in order to clarify what permits can be issued to a City of Columbus registered General Contractor; and

**WHEREAS**, this code change will clarify that a City of Columbus registered General Contractors may obtain Building Permits for one-, two-, and three-unit dwellings when the application identifies the City of Columbus licensed Home Improvement Contractor that will be performing the work; and

**WHEREAS**, the Board of Review of General and Home Improvement Contractors reviewed and recommended approval of this amendment at its monthly public hearing held on July 6, 2016; and

**WHEREAS**, the Columbus Building Commission voted to recommend approval of this amendment at its monthly public hearing held on August 16, 2016; now, therefor:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That Section 4113.37 of the Columbus City Code is hereby amended to read as follows:

**4113.37 - Building permits.**

(A) General Construction. This section deals with permits for general construction and does not include permits required for the mechanical and electrical trades.

(B) Required.

(1) No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure in the city, or cause the same to be done, without first obtaining a separate permit for each such building or structure from the building official and paying the fee prescribed in the fee schedule.

(2) Pre-approval(s) Required. When a certificate of zoning clearance, a certificate of appropriateness, or certificate of approval, is required, all that apply shall be obtained prior to filing for an application for a building permit. Failure to obtain the required pre-approval(s) prior to commencing an installation is subject to, but not limited by, the penalty provision of C.C. Chapter 3116. Referral(s) to the appropriate regulatory agency(s) may be obtained from the department.

(3) Maintenance Work. No building permit is required for maintenance work which is made of the same material of which the building or structure was originally constructed; however, such work shall in no way, be the type of work that could be considered an alteration or rehabilitation to the building or structure. Interior or exterior painting does not require a permit; however, a certificate of appropriateness shall be required for exterior painting of any building or structure listed on the Columbus Register of Historic Properties or is within an architectural review commission district. Within the university impact district, exterior painting and maintenance work involving replacement-in-kind does not require a certificate of approval.

(C) Parking Lot.

(1) No person shall commence to construct, enlarge, alter, improve or convert a parking lot in the city, or cause the same to be done without first obtaining a separate permit for each such parking lot from the building official and paying the fee prescribed in the fee schedule.

Exception: A separate permit need not be obtained for the construction of a parking lot if said parking lot is shown on the plans and included in the permit for the building or structure.

(2) Pre-approval Required. When a certificate of zoning clearance, certificate of appropriateness, or certificate of approval is required, all that apply shall be obtained prior to filing an application for a parking lot. Failure to obtain the required approval(s) prior to commencing an installation is subject to, but not limited by, the penalty provision of C.C. 3116. Referral(s) to the appropriate regulatory agency(s) may be obtained from the department.

(3) A permit is not required for the routine maintenance of a parking lot, such as patching holes, sealing, or striping without changing the number of available spaces.

(D) Not Required. A building permit is not required for the following types of installations; however, an installation within the scope of either subsection (D)(1) or (D)(3) of this section that is either listed on the Columbus Register of Historic Properties or located within an architectural review commission district, requires a certificate of appropriateness in accordance with C.C. Chapter 3116:

(1) Playground equipment located on residential, commercial or public property;

(2) A mobile or manufactured home located in a mobile or manufactured home park which is licensed by the local or state board of health;

(3) An unheated, one-story, detached building that is accessory to a one-, two-, or three-family dwelling and

contains less than 169 square feet of gross floor area.

(E) Building Permit Issuance. A building permit may be issued:

(1) To an appropriately licensed home improvement contractor duly licensed with the department or to the owner of a one-, two-, or three-family dwelling to do the work with his or her own hands or see that the work is properly accomplished under his or her direct supervision;

(2) To the owner of a single unit in an existing multi-family dwelling to do the structural work within his or her own unit with his or her own hands or see that the work is properly accomplished under his or her direct supervision;

(3) For a completed one-, two-, or three-family dwelling, to the general contractor duly registered with the department, who originally constructed the dwelling in order to remodel or construct an addition on that same dwelling;

(4) To the owner of any existing building other than a one-, two-, or three-family dwelling to do the structural work within his or her own unit with his or her own hands or see that the work is properly accomplished under his or her direct supervision;

(5) To a general contractor duly registered with the department for any building other than a one-, two-, or three-family dwelling to perform the structural work with his or her own hands or see that the work is properly accomplished under his or her direct supervision;

(6) To a general contractor duly registered with the department for the construction of a new one-, two-, or three-family dwelling to perform the structural work with his or her own hands or see that the work is properly accomplished under his or her direct supervision;

(7) To a general contractor duly registered with the department for the modification, alteration, or repair of an existing one-, two-, or three-family dwelling providing that they supply the name of a licensed home improvement contractor(s) that will perform the work with his or her own hands or see that the work is properly accomplished under his or her direct supervision;

(8) (6) Any person acting on the behalf of, or as an agent for, an owner to obtain a building permit shall be a general contractor duly registered with the department.

(F) Use of Name. No department licensed or registered contractor, or occupying homeowner shall allow the use of his or her name by any person, directly or indirectly, for the purpose of obtaining a building permit to do any work.

(G) Emergency Work.

(1) Where an emergency exists, work may be commenced prior to obtaining a building permit; however, application for a permit shall be made as soon as possible the same day or as soon as the department office is open for business. An emergency includes, but is not limited to, structural, mechanical or electrical system failures.

(2) Where an emergency exists, work may be commenced prior to obtaining a certificate of appropriateness or certificate of approval on any building or structure that is either listed on the Columbus Register of Historic Properties, or is within an architectural review commission district or within the university impact district; however, an application for a certificate of appropriateness or a certificate of approval shall be made as soon as possible on the same day or as soon as the appropriate department office or section is open for business.

(H) Interim Permit. Where work is commenced by an unlicensed or unregistered contractor the chief building official may issue a one-time interim permit provided:

(1) The unlicensed or unregistered contractor makes application to the department on an application form prescribed for such license or registration, with proof of bonding and liability insurance together with the nonrefundable fee as prescribed by the fee schedule. The applicant shall possess the minimum qualifications as set forth in chapter 4114 of this code which shall be verified by the chief building official.

(2) The applicant satisfies the working without permit fee assessed against the work. The fee shall be as prescribed in the fee schedule.

(3) The work is inspected by a building inspector to determine code compliance.

(4) The applicant does not have a prior history of violating the building code.

This one-time interim permit may be revoked by the building official with due cause.

**SECTION 2.** That prior existing Section 4113.37 of the Columbus City Code is hereby repealed.

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