
Ashland City Council

Housing Code Committee Meeting
Tuesday, October 30, 2007 6:00 pm
Economic Development Conference Room

Tuesday, October 31, 2007, Economic Development Conference Room

Purpose:

1. Housing Codes Committee meeting in groups of 3: Health, Fire and Building & Zoning.

Attendance:

Council members: Glen Stewart, Ruth Detrow

City Engineer: Jim Cooper

Building & Zoning: Roger Gordon

Health Dept.: Al Sanders

Health Dept.: Patricia Donaldson

Apartment Association: Adrian Bauer

Phil Rafeld

John Chorpening

Nevin Bowers

Fred Pryor

Ashland Board of Realtors: Mike Huber

Mike Meyer

Keith Ballantyne

Fire Capt. Mark Miller

Council Clerk: Valarie Bishoff

Media: T-G Darcie Loreno

Others:

Ruth Detrow, Chair Person: We will get started by introducing everyone. Glen and I are going to bring you up to date as much as possible of where we are. This evening, you will be divided into committees and be working on some aspects. This is a huge job and is something that one person or even one group cannot do well unless they do divide up in groups. I represent City Council.

First, we have long struggled on City Council trying to respond to complaints we get from people who say, "That house looks like it is going to fall down", "That house has rats running in and out", "That house has no paint on it anymore", etc. Sometimes we can do something and a lot of times, we cannot. Just simply because we have a lot of legislation that speaks to this but we think there are some holes in the legislation. The handout that you have picked up tells you what we have in our Codified Ordinances and I am thinking that maybe when Valarie has a little time, she might be able to cut and paste and give you what the Ordinances say. I know also that there are other regulations that you follow as well. I don't think the Fire Code is in the Codified Ordinances, is it?

Fire Capt., Mark Miller: No not the Ohio Fire Code. I did send some applicable information to Councilman Stewart and copies to Valarie Bishoff, Clerk of Council. Bits and pieces of their most applicable.

Ruth Detrow: And that is really our problem. I don't think all of the housing codes that you use are in our Codified Ordinances.

Al Sanders, Health Dept. : The only thing we use is the Ohio Revised Code Business Rules and then anything that might be specific to health in the Codified Ordinances. There is legislation Ordinances in regards to insect and rodent infestation. There is also a junk and trash Ordinance. We are involved in those. For the benefit of the general public we refer any complaint to the City Law Directors office for initiation and then they investigate that and if they feel that there is a problem of public health significance then they contact our office for assistance. It has worked very well for us.

Ruth Detrow: Glen and I divided this group into three committees with Al chairing the Health Dept. and Capt. Mark Miller Heading the Fire Dept. and Roger Gordon Heading Building & Zoning. And I think you were told the letters or e-mails or something which group you are with.

Health Dept. Committee: Al Sanders, Adrian Bauer, Phil Rafeld, John Chorpening

Fire Dept. Committee: Capt. Mark Miller, Fred Pryor, Nevin Bowers.

Building & Zoning: Roger Gordon, Roger Hazen, Mike Huber, Jim Cooper, Keith Ballantyne

Ruth Detrow: I think we really have two tasks. The first thing is to identify completely what we have now and according to Al, the health things are working well.

Al Sanders: I kind of concur with what Rick had to say in his cover letter when it comes to the Health end of things. A lot of complaints or calls that we may get, don't really involve health; they are more aesthetics. A house not occupied might have an attic window knocked out or the front porch roof needs to be repaired or spokes in the railing along the front porch, two or three of those are out and they look bad, but from a Board of Health standpoint, those are not health hazards, they are eye sores and I guess that is where we have always kind of struggled with those kinds of complaints for the city of Ashland and this goes back several different administrations. I can remember a meeting that Mayor Ritchie called, Mayor Cellar called and Mayor Strine just called about this very problem. It is not just something that popped up. It is something we continue to struggle with in town.

Glen Stewart: You look forward to every new administration having a carbon copy made.

Al Sanders: If everyone has a copy of this, I still have never been able to figure out why with the wording that is in here, I am not a lawyer, but I don't understand why if we use this, why we can't follow this and get the job done because it defies what a substandard building is, it tells what a health problem is. A lot of different definitions. I am not sure whether it is the lack of code or a lack of maybe personnel to enforce the code that we have.

Glen Stewart: We can have Valarie work with Engineering and get a copy of the 1,2, 3 Family Dwelling Code Book for everyone.

Jim Cooper: Yes that is kept in Roger's office.

Al Sanders: There are multi-family dwellings and there are broken down garages.

Glen Stewart: We want to cover the buildings within the city that can fall under our jurisdiction. We may be in trouble in commercial buildings. But buildings that can fall with under the city of Ashland's jurisdiction. We want to cover it. We get the complaints, as you pointed out, the garages, out buildings.

Al Sanders: There are also large houses that might have more than three family dwelling and I am not sure whether that falls under us or not.

Glen Stewart: And I think as the groups get together, these are questions that should surface and we can get back together with each individual group and hear the questions, and we may have to go to Rick or someone else. Where do we go from here? I believe we want to identify what our problem areas are for enforcement within each individual group. If there aren't any problem areas, that is great, but I think with having the citizen volunteers as part of this, we will get a better perception of what more people in this community want and what can we do. And if there are tools that are missing; let's say there is a hole in someone's asphalt driveway, we need a tool to address that and then if the subcommittees feel that is appropriate, then we have to look at it. What tools do we need to make Ashland someplace special within reason. I don't want to look at the narrow view.

Mike Huber: Ruth, in your opening remarks, you mentioned there is obviously lots of legislation involved with all of these currently in progress. You mentioned there are holes in enforcement, I don't see a committee specifically to look into enforcement.

Glen Stewart: Mike, I think each individual group will know where they are. We have sent something out to, we will pick on the Law Director and we have no tools to work on it. I don't know if that is the case with anyone or not.

Jim Cooper: We just want to be clear, that is one of the responsibilities of our subcommittees.

Ruth Detrow: As you consider these three groups, is there anything else, we are talking about enforcement. Is there anything else that you see that we need to look at. We are talking right now about health, fire department, building and zoning, those three groups. Is there anything else you can think of that we need to add to this?

Phil Rafeld: Let me ask you this, when we are talking about these three groups, are we also implying is implicating these to businesses also or just residential properties.

Ruth Detrow: Our biggest problem seems to be residential.

Glen Stewart: I would like to be able to handle the residential problems, the residential area. And then if we are successful there, lets move into a commercial or the retail end of it. Does that sound reasonable to everyone?

Capt. Mark Miller: Commercial is somewhat covered by the Fire Code, that is part of our principal responsibility which are inspections of commercial properties or factories, public buildings. A big part of the Fire Dept. or code enforcement within the Fire Dept. does deal with other than residential where the Fire Dept. has the least jurisdiction or authority is residential. That is somewhat of where you are talking about a division between the two. There are some tools that the Fire Dept has for residential but they are limited due to privacy and various things that people want.

Ruth Detrow: You refer to the Fire Code. It is a physical document that is separate? How large is it?

Capt. Mark Miller: The Ohio Fire Code is around 700 pages; it is not specifically though applicable in all Chapters of it. It has specific Chapters that deal with general safety. Safety in public buildings, safety during construction. There is probably 95% of the Fire Code that won't apply. It covers things like crop ripening or textile manufacturing. It is things that are specific to certain industries but there is a very small part of the Fire Code that is pretty clear and concise on what the Fire Dept has. What remedies they can seek. A small enough section that I can provide copies of most of the applicable information. I think I e-mailed most of it but it is not going to be 700 pages. I will put together a packet of some sort of documents for anybody who is interested.

Glen Stewart: Is it the same thing that you sent to Valarie and I?

Capt. Mark Miller: Very similar, I kind of just included just highlights of those sections. There are maybe 30 pages or so specifically geared towards dangerous buildings, unsafe buildings, things like that. More geared towards that than the aesthetics of buildings.

Adrian Bauer: It seems to me in past discussions, about 75 to 80% of the problems are zoning or would be in his committee. Maybe 15% would be in the Fire. I don't know that I have ever heard problems with the Health angle of the thing and if that hasn't been a problem and he thinks things work out well, why are we wasting our time on that? Do we really need to pursue his angle?

Glen Stewart: Maybe I could answer that Adrian. I feel that the community volunteers need to satisfy themselves at subcommittee level that there are reasons for those areas that people think are health that are not health, that they think are fire, they are not fire or they think maybe building and zoning that are not. I think that with the volunteers that came up and Ruth and I didn't ask anyone where they wanted to serve. We started writing names down to get a true cross-section of people on these committees. They may have the easiest job of all. If they get done in a couple of weeks, and those volunteers want to serve on another committee, I wouldn't see anything wrong with that either. We don't want anyone to meet for the sake of meeting and if there is anyone around the table that feels that this City Council is wasting their time by putting this into subcommittees and getting community input, I ask you to step on out the door because I don't want to waste anyone's time. We are actually seeking input into where we need to go to address these problems with the Council people, the Mayor, probably Al. But we all get a lot of questions. I am going to give you an example this evening. A man stopped me as I was getting into my vehicle. He says he has a lot line problem. My neighbor is encroaching onto my lot. We don't get into those private matters. He says I am a Vietnam veteran, why can't you help me? Well, it is a fight between neighbors. There are some things that we don't do very well and maybe you would like to, but if a neighbor is pushing his trash onto your lawn or and it is really trash and it is not being picked up and taken care of; maybe that can be handled. I feel very strongly that we need to have the community input in these subcommittees and then go from there. I think building and zoning has got a tiger by the tail by what all is out there. And I think maybe Al and Pat may have a little easier job.

Al Sanders: Well I think from the public standpoint, one of the perceptions is that if it involves safety, that means it is a health hazard and a lot of times that goes back to a lack of maintenance on a building whether that is siding falling off the house or the back porch is dilapidated and could cave in on a kid that wanders onto somebody else's property. I am not sure where that all gets washed out.

Valarie Bishoff, Clerk: Obtained all members e-mail addresses.

Glen Stewart: Keith, you had mentioned you would like to serve, but you are going to be gone.

Keith Ballantyne: We will be leaving on November 17, 2007, and won't be back until April.

Nevin Bowers: I think in all committees, to keep in mind those isolated complaint incidents that many of you just can't answer, a particular code item or whatever. See where those can duck tail into if not then maybe there are some gaps that need to be filled and this could happen in all committees.

Glen Stewart: No one has left yet, so I assume all of you have a genuine interest.

Phil Rafeld: I think everybody here feels that any part to make Ashland someplace special on whatever committee they serve on is a good committee.

Ruth Detrow: Glen, do you have anything else that you want to say before we divide into groups?

Glen Stewart: Well, as you look at all of these documents that Rick has prepared, I would ask that you look at it very carefully before you say that we need copies of all of these for thirty people. It will kill a dozen trees. But if you need it, we will get it. These are the tools that are on the books today. If your subcommittee feels that you need that, then I would ask that you call Valarie, call her directly and tell her how many copies you want and she will tell you when she can have it ready for you.

High grass is already covered in some of the Ordinances but it is not enforced without specific requests. That may be an area that we want to address.

Ruth Detrow: I just have a feeling when all of the committees are done, they are going to say, what we really need is an enforcement person who spends all his time enforcing this and that is going to be a problem for us.

Al Sanders: Ruth. From the general public standpoint of the person who is picking up the phone to call in a complaint, who do they call? They are not sure who to call. They may call the health dept for a housing maintenance problem or a fire problem so what we have done is; a lot of percent of the time, we have them call Rick Wolfe's office, he is the City Law Director. He is going to be the lawyer that knows what the codes, the Ordinances, the State Laws are. He has a part time investigator; she goes out and looks at the situation, comes back to him and then he calls the health dept. or the fire dept. That way that one person only has to call one person to get an update on what is going on. They don't have to call the health dept, then they call building & zoning and then they call over here. That process that we have worked out with Rick, at least from the Health Dept standpoint, has worked very well. But once that call has been made, then you designate who should handle that.

Glen Stewart: I think before we get into how we solve the problem, we need to define the problem. The how to's come after the what is. The how to's may be as complex as any of it, but once we define what is lacking, if anything and how the process works from the perception of each of the committees and I think that is when we come back and incidentally, Rick was invited to be here, but he had another meeting tonight and could not be here.

(Valarie left the meeting at 6:40pm to prepare for the next meeting at 7:00 pm).

Adjourned at 7:00 pm

Submitted by
Valarie Bishoff
Clerk of Council

