

ORDINANCE NO. 2026-08

**AN ORDINANCE
AMENDING CHAPTER 1305, OF THE CODIFIED
ORDINANCES OF KIRTLAND HILLS TO ENACT THE
RESIDENTIAL CODE OF OHIO, THE ONE, TWO AND
THREE-FAMILY DWELLING CODE, AND DECLARING AN
EMERGENCY.**

WHEREAS, the administration of the Village of Kirtland Hills has recommended that Chapter 1305, CABO One and Two-Family Dwelling Code of its Codified Ordinances be amended to include the State of Ohio’s Residential Code (RCO) and to apply said code to include Three-Family Dwellings as well; and

WHEREAS, this Council has engaged the Lake County Building Department to perform inspections on behalf of the Village, and that the Lake County Building Department is a certified building department, authorized by the Ohio Board of Building Standards to enforce statutory codes.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF KIRTLAND HILLS, LAKE COUNTY, STATE OF OHIO:

SECTION 1. That existing Chapter 1305, CABO One and Two-Family Dwelling Code, of the Codified Ordinances of Kirtland Hills is amended in its entirety, as provided in “Exhibit A”, which is attached to this Ordinance and incorporated into this Ordinance by reference.

SECTION 2. That existing Chapter 1305, CABO One and Two-Family Dwelling Code, of the Codified Ordinances of the Village of Kirtland Hills, and any Ordinance or any part of any Ordinance that conflicts with this Ordinance, are repealed to the extent of the conflict.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted 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 in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance constitutes an emergency in that the same provides for the immediate preservation of the public peace, health, safety, and welfare of the residents of the Village of Kirtland Hills and for the reasons that all dwellings in the Village adhere to the same statutory codes; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

PASSED: March 16 2026

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CLERK/TREASURER

[Signature]
MAYOR

CHAPTER 1305

Residential Code of Ohio (RCO) - ~~CABO~~ One and Two and Three-Family Dwelling Code

1305.01 Adoption.

1305.02 File and distribution copies.

1305.03 Conflict.

1305.04 Amendments.

CROSS REFERENCES

Adoption by reference - see Ohio R.C. 731.231

State to enforce industrialized unit regulations - see Ohio R.C. 3781.06, 3781.10

State to establish energy standards for one, two and three-family dwellings—see Ohio R.C.

3781.184

1305.01 ADOPTION.

There is hereby adopted and incorporated by reference as if set out at length herein, for the purposes of establishing rules and regulations for the erection, construction, enlargement, alteration, repair, improvement, removal, conversion, demolition, equipment, use, occupancy or maintenance of one, two and three-family dwelling houses which are not constructed of industrialized units, and their accessory structures, that certain code known as the **Residential Code of Ohio (RCO) - ~~CABO~~ One, and Two and Three-Family Dwelling Code**, current edition, **based on the International Residential Code and** published jointly as a nationally recognized model code by the **International Code Council, Building Officials and Code Administrators International, Inc.; International Conference of Building Officials; and Southern Building Code Congress International**, subject to the modifications provided under Section **1305.04**.

1305.02 FILE AND DISTRIBUTION COPIES.

Copies of the **RCO - ~~CABO~~ One, and Two and Three Family Dwelling Code** adopted herein are on file with the Clerk-Treasurer for inspection by the public and in the County Law Library. **Copies are available from the publisher and can also be viewed on-line.** The Clerk-Treasurer also has copies available for distribution to the public at cost.

1305.03 CONFLICT.

Except as otherwise specifically provided for in this chapter, in all other cases of conflict between the **RCO - ~~CABO~~ One, and Two and Three Family Dwelling Code** and any other Municipal ordinance or technical code adopted thereby, the more restrictive provision shall govern.

1305.04 AMENDMENTS.

~~The CABO One and Two Family Dwelling Code adopted herein is modified by the amendment, enactment or deletion of the following sections as respectively indicated, which modifications are hereby adopted as set forth herein:~~

~~SECTION 103 SCOPE (Amended). The provisions of this code apply to the construction, alteration, repair, use, occupancy and maintenance of detached one, two and three-family dwellings and their accessory structures.~~

~~SECTION 105 ENTRY (Amended). The Building Inspector or any of his designated agents may at any reasonable hour, enter any dwelling, structure or premises within the Municipality to perform any duty imposed on him by this building code, provided that permission to enter is obtained from the occupant or, in the case of unoccupied property, from the owner or his agent. If such permission is refused or is otherwise unobtainable, a search warrant must be obtained before such entry or inspection is made, except in the case of an existing emergency in which case entry~~

may be made at any time and no search warrant is necessary. No person shall refuse to permit such emergency entry or inspection, nor shall any person hinder, obstruct, resist or abuse any person making or attempting to make such entry or inspection.

~~SECTION 106 VIOLATIONS AND PENALTIES (Amended).~~ No person, firm or corporation, whether as owner, lessee, sub-lessee, or occupant shall erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy or maintain any one, two or three-family dwelling in the Municipality or cause or permit the same to be done, contrary to or in violation of any provision of this code.

~~Whoever violates any provision of this chapter or any code adopted herein or fails to comply with any lawful order issued pursuant thereto is guilty of a misdemeanor of the third degree. Each day during which noncompliance or a violation continues shall constitute a separate offense. The Municipality may institute injunction proceedings in Common Pleas Court to abate the nuisance of any violation or failure to cease work after receipt of a stop work order.~~

~~SECTION 114 PREFABRICATED CONSTRUCTION (Amended).~~ The Ohio Basic Building Code provisions pertaining to industrialized units shall apply to and govern one, two and three-family dwellings constructed of industrialized units, notwithstanding any provisions to the contrary as contained in the One and Two Family Dwelling Code adopted herein.

~~CHAPTERS 29 TO 38 PLUMBING (Amended).~~ The Ohio Plumbing Code as published in Chapter 4101:2-29 and 4101:2-56 to 4101:2-69 of the Ohio Administrative Code shall apply to plumbing, sewer building and water service installed in one, two and three-family dwellings, notwithstanding any provisions to the contrary as contained in the One and Two Family Dwelling Code adopted herein.