

**GENERAL/ HOME IMPROVEMENT LICENSING BOARD OF REVIEW**  
**September 4, 2019**  
**111 N. Front Street**  
**Columbus, OH 43215**  
**Room 204**

The following duly appointed members were present: Chairman – Mike Pione, Ross Appledorn, Ken Neverman, Daniel Wolt and Tom Sintic. Representing the City was Cliff Spruill. Toni Gillum was the stenographer transcribing the meeting.

The meeting was called to order by Chairman Pione at 1:00 p.m. Mr. Neverman made a motion to accept the minutes of the August 7, 2019 meeting as written. Mr. Wolt seconded the motion. **MOTION CARRIED.**

The next item to come before the Board was the review of new Home Improvement Contractor applications.

**The following applications were approved by the Board:**

<u>NAME</u>	<u>LICENSE TYPE</u>	<u>APPROVED/TABLED</u>
<b>NAME</b> Aborca, Boris	<b>LICENSE TYPE</b> Limited	<b>APPROVED/TABLED</b> DISAPPROVED
Amrose, Charles A.	(5) Limited - Siding Windows Doors, Deck Installation, Sidewalks & Driveway Approaches, Roofing and Fencing	APPROVED
Chapman, Jeremy	Limited - Basement Waterproofing	APPROVED
Collins, Aaron	General	APPROVED
Davis, William Scott	General	APPROVED
Enderle, Mike	Limited - Roofing	APPROVED
Hall, Mary	(2)Limited - Siding, Windows and doors, and Roofing	APPROVED
Hasler, Matthew Jason	General	APPROVED
Nickell, Russell	Limited - Siding, Windows & Doors, Masonry Fireplaces, Decks, Basement Waterproofing, Exterior Lathing & Stucco, Sidewalks & Driveway Approaches, Gypsum Board, Roofing and Fencing	APPROVED
Roberts, Jeremiah Jason	(2) Limited - Swimming Pools & Fencing	APPROVED
Thomas, Quasi	Limited - Siding, Windows & Doors and Limited - Gypsum Board	APPROVED
Vanderwalle, Bobbie	(2) Limited - Siding, Windows & Doors and Roofing	APPROVED
Weimerskirch, Matthew	Limited - Siding, Windows & Doors, Limited - Masonry Fireplaces, Limited - Decks, Limited - Basement Waterproofing, Limited - Exterior Lathing & Stucco, and Limited - Fencing	APPROVED

Mr. Sintic made a motion to certify the results of the applicants who were approved to the Department of Building & Zoning Services for the issuance of a Home Improvement Contractor’s License. Mr. Wolt seconded the motion. **MOTION CARRIED.**

The next item to come before the Board was the review of new Demolition Contractor applications.

<u>NAME</u>	<u>APPROVAL</u>
Bastian, Barry Michael	APPROVED
Moore, Bobby C.	APPROVED
Morales, Garrick	APPROVED
Thompson, Kevin	APPROVED

Mr. Neverman made a motion to certify the results of the applicants who were approved to the Department of Building & Zoning Services for the issuance of a Demolition Contractor's License. Mr. Sintic seconded the motion. **MOTION CARRIED.**

#### DUE PROCESS HEARING FOR MATT MURPHY – HUMES HOMES

The next item before the Board was the complaint filed by **Robert Ellis, Jordan Street Homes/Haus Development** and the **City of Columbus** against **Matt Murphy, Humes Homes**. Mr. Ellis was present for the meeting, Mr. Murphy was not. It is alleged that **Humes Homes, LLC** violated the following code sections at the property located at **235-237 N. 21<sup>st</sup> Avenue** and **902-904 Carpenter Street: 4113.37(b), 4113.13, 4115.01, 4115.03, 4114.111**. **Secretary Spruill** presented the complaint.

On October 16, 2018 Haus Development entered into a contract with Humes Homes, LLC for the purpose of various types of renovation work. on 3/7/19 Haus Development obtained a permit. On June 18, 2019, the City of Columbus Building and Zoning Services Department received a complaint for work being done without a permit. On June 26, 2010 the inspector made a site visit for purposes of investigating the validity of the WWOP Complaint. There was work being done without a permit at this address.

On December 17, 2018 Jordan Street Homes LLC entered into a contract with Humes Homes LLC to provide renovation services at **235-237 N. 21<sup>st</sup> Street**. On April 24, 2019 Jordan Street Homes obtained a permit to perform the work that Humes Homes was contracted to do. On June 18, 2019 the City of Columbus received a contractor complaint from Jordan Street Homes siting Humes Homes performed work without a permit. June 26, 2019 the City of Columbus made a site visit to investigate the claim of WWOP. Work had been performed without a permit.

In the case regarding **902-904 Carpenter Street, Columbus, Ohio**, after testimony by the **City Inspectors** and **Mr. Ellis**, and questions by the Board, **Ross Appledorn** made a motion that **Mr. Murphy** failed to acquire the required permits; failed to have the required inspections performed; failed to have the required approvals; failed to have the inspections before covering; and performing the work of a licensed specialty contractor all at the property located at 902-904 Carpenter Street, Columbus, Ohio, **Mr. Neverman** seconded.

**MOTION CARRIED**

Due to those facts, **Mr. Appledorn** made a motion that by doing so, **Mr. Murphy** violated **Columbus Building Code Sections: 4113.37(b) Building Permits Required, 4115.01, Inspections Required, 4115.03, Approvals Required, 4115.04, Inspection before covering and 4114.111, Work of a Registered OCILB Licensed Specialty contractor permit fee**. **Mr. Neverman** seconded.

**MOTION CARRIED**

In the case regarding **235-237 N. 21<sup>st</sup> Street, Columbus, Ohio**, after testimony by the **City Inspectors** and **Mr. Ellis**, and questions by the Board, **Ross Appledorn** made a motion that **Mr. Murphy** failed to acquire the required permits; failed to have the required inspections performed; failed to have the required approvals; failed to have the inspections before covering; and performing the work of a licensed specialty contractor all at the property located at **235-237 N. 21<sup>st</sup> Street, Columbus, Ohio**, **Mr. Neverman** seconded.

**MOTION CARRIED**

Due to those facts, **Mr. Appledorn** made a motion that by doing so, **Mr. Murphy** is **GUILTY** of violating **Columbus Building Code Sections: 4113.37(b) Building Permits Required, 4115.01, Inspections Required, 4115.03, Approvals Required, 4115.04, Inspection before covering and 4114.111, Work of a Registered OCILB Licensed Specialty contractor permit fee**. **Mr. Neverman** seconded.

**MOTION CARRIED**

Due to being found **GUILTY** of violating the Columbus Building Code at both propties, **902-904 Carpenter Street** and **235-237 N. 21<sup>st</sup> Street, Columbus, Ohio**, Mr. Appledorn made a motion to **REVOKE** the Home Improvement Contractor license of Humes Homes, LLC/Matthew Murphy. **Mr. Wolt** seconded.

**MOTION CARRIED**

**Secretary Spruill** presented proposed changes to the City of Columbus Building Code. **Mr. Appledorn** made a motion that the proposed language be adopted to the Code regarding section 4101.19 letter S. Specifically as it relates to swimming pools classification thereof, also regarding section 2 of 4127.01 that the city code will be amended to read as written below in 4127.01 in the Residential Code of Ohio, recommend the proposed changes to City Council for adoption. **Mr. Neverman** seconded.

**MOTION CARRIED**

**\*\*The proposed changes are attached\*\***

**Mr. Wolt** made a motion to adjourn. **Mr. Sintic** seconded the motion. Adjourned at 1:45 p.m.

---

Mike Pione, Chairman

---

Cliff Spruill, Secretary

---

## **..Explanation**

### **BACKGROUND:**

The Department of Building and Zoning Service is the agency that is certified by the Board of Building Standards to enforce all provisions of the rules of the Board and of Chapters 3781 and 3791 of the Revised Code relating to construction, arrangement, and the erection of residential buildings or parts thereof and has adopted the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings, also known as the RCO, as stipulated by the Columbus Building Code (Title 41) for such work on all one-, two- and three-family dwellings within the City.

The RCO does not regulate the design and construction of residential swimming pools and requires a separate adoption. This code change clarifies what pool structures the code adoption covers.

A Public Hearing was held before the Board of Review of General and Home Improvement Contractors on Month XX, 2019, and the Columbus Building Commission on Month XX, 2019, whereupon the Board of Review of General and Home Improvement Contractors and the Building Commission voted to recommend this proposed Ordinance be forwarded to the Columbus City Council for adoption.

**FISCAL IMPACT:** No funding is required for this legislation.

## **..Title**

To supplement Chapter 4127 of the Columbus City Codes, 1959, by amending existing Section 4127.01(A) of the Columbus Building Code in order to clarify what pool structures the code adoption covers.

## **..Body**

**WHEREAS**, The Department of Building and Zoning Service is the agency that is certified by the Board of Building Standards to enforce all provisions of the rules of the Board and of Chapters 3781 and 3791 of the Revised Code relating to construction, arrangement, and the erection of residential buildings or parts thereof and has adopted the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings, also known as the RCO; and

**WHEREAS**, the RCO does not regulate the design and construction of residential swimming pools and requires a separate adoption; and

**WHEREAS**, this code change clarifies what pool structures the code adoption covers; and

**WHEREAS**, a Public Hearing was held before the Board of Review of General and Home Improvement Contractors on Month XX, 2019, and the Columbus Building Commission on Month XX, 2019, whereupon the Board of Review of General and Home Improvement Contractors and the Building Commission voted to recommend this proposed Ordinance be forwarded to the Columbus City Council for adoption; now, therefore,

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

**SECTION 1.** That the existing Section 4101.19 of the Columbus City Codes is hereby amended to read as follows:

#### **4101.19 - Letter S.**

"Shared-use path" (Class I Bikeway) means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the street or highway right-of-way or within an independent alignment. A shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, and other authorized motorized and non-motorized users.

"Shed" means a roofed one-story structure, open on one or more sides, and not a porch or marquee as defined in this chapter.

"Sidewalk space" means the part of a public street provided or set apart as a walkway for pedestrians, including the planting strip when the same exists, as distinguished from the roadway of said street.

"Skeleton construction" means that construction whereby all external and internal loads and stresses are transmitted to the foundation by a skeleton or framework of metal, or concrete reinforced by metal.

"Spire" means a tapering structure with vertical dimensions much greater than the dimension of the base.

"Structure" means an assembly of materials forming a construction for occupancy or use, including but not limited to: building; stadium; gospel or circus tent; reviewing stand; platform; staging;

observation tower; communication, radio or television tower; water tank; trestle; pier; wharf; open shed; coal bin; shelter; fence in excess of six feet in height; display sign; dish antenna and any other similar assembly of materials. The word "structure" is construed as if followed by "or parts thereof." "Swimming Pool" means any structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.

**SECTION 2.** That the existing Section 4127.01 of the Columbus City Codes is hereby amended to read as follows:

**4127.01 - Residential Code of Ohio (RCO).**

(A) Incorporated. The "Residential Code of Ohio for One-, Two- and Three-Family Dwellings," also known as the RCO, as adopted, and/or as republished from time to time, by the Ohio Board of Building Standards (OBBS) of the State of Ohio, Department of Commerce, and Division of Industrial Compliance, shall be in full force and effect. This code includes, but is not limited to, all related codes and standards for electrical, mechanical (HVAC), refrigeration, hydronic and plumbing systems. The provisions of this model code shall apply to all buildings and structures governed under the provisions of the OBBS - Residential Code of Ohio (RCO). The OBBS-Residential Code of Ohio (RCO) is incorporated as if set out fully at length herein and is referred to as the RCO. Included in this adoption shall be the residential swimming pool enclosure section of the current adopted Ohio Building Code, for any RCO covered structure or accessory structure intended for swimming or recreational bathing that contains water over 24 inches deep, including in-ground, above ground, and on-ground swimming pools, hot tubs and spas.

(B) Plans and specifications submitted to the Department for approval for the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure covered by this code, any appurtenances connected or attached to such buildings or structures, or any accessory structures, shall be governed by the code as adopted above. Included in this adoption shall be the residential swimming pool enclosures section of the current adopted Ohio Building Code.

**SECTION 3.** That prior existing sections 4101.19 and 4127.01 of the Columbus City Codes are hereby repealed.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period provided by law.