

ORDINANCE NO. 2025 - 045

AN ORDINANCE AMENDING "PART FOURTEEN-PROPERTY MAINTENANCE AND HOUSING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TO AMEND SECTIONS 1406.05, 1410.04 AND 1411.12, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to amend "Part Fourteen-Property Maintenance and Housing Code" of the Codified Ordinances in order to add language prohibiting the use of transportable items, such as tents or motor vehicles as temporary housing on a residential yard for an extended period of time; update terminology to align with Part 11-Zoning Code; strike obsolete language; and add window screens as a requirement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio:

SECTION 1. That Council does hereby amend "Part Fourteen-Property Maintenance and Housing Code" of the Codified Ordinances to amend Section 1406.05, 1410.04 and 1411.12 per Exhibit "A", attached hereto and made a part thereof.

SECTION 2. 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 of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: 5/21/25
Date

J. Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: 5/21/25
Date

ATTEST: Kathleen Coleman
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2025-045, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON May 21, 2025.

(SEAL)

Kathleen Coleman
KATHLEEN COLEMAN
CLERK OF COUNCIL



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: April 28, 2025
TO: Dave Ruller, City Manager
FROM: Bridget Susel, Community Development Director *B.S.*
RE: Amendments to Part Fourteen -Property Maintenance and Housing Code

The Community Development Department has received complaints regarding someone living for an extended period of time in a tent located in the rear yard of a residential property.

The City's Kent Codified Ordinances (KCO) currently does not have any regulations prohibiting the use of transportable items, such as tents or motor vehicles, as temporary housing so the Community Development Department worked with the City's Law Department to draft proposed language to include in "Part Fourteen of the Property Maintenance and Housing Code."

Through its review of Part 14, the Community Development Department also identified two additional amendments that are needed for property maintenance enforcement and to ensure language in Part 14 does not conflict with KCO Part 11, which is the City's Zoning Code.

I am respectfully requesting time at the May 7, 2025 Council Committee meeting to discuss the attached in greater detail and to request Council authorization, with emergency, of the proposed amendments.

If you need any additional information in order to add this item to the agenda, please let me know.

Thank you.

Attachment

Cc: Hope Jones, Law Director
Eric Fink, Assistant Law Director
Kathy Coleman, Clerk of Council
CD Building Department Staff

1406.05 PROHIBITED OCCUPANCY.

(a) Any occupied structure condemned and placarded by the Code Official shall be vacated as ordered by the Code Official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

(b) **TEMPORARY HOUSING.** Any motor vehicle, tent, trailer, recreational vehicle, watercraft, or other structure being used for human shelter, which is designed to be transportable, and which is not permanently fastened to the ground or to another primary structure.

1410.04 EXTERIOR PROPERTY AREAS.

(a) Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

(b) Grading and Drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

(c) Sidewalks and Driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.

(d) Rodent Harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

(e) Exhaust Vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

(f) Acessory Subordinate Structures. All **accessory subordinate** structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

(g) Motor Vehicles. Except as provided for in other regulations of the City of Kent and State of Ohio, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted in an approved spray both located in a facility, which is zoned and approved by the City for that type of use.

(h) Defacement of Property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

1411.12 WINDOW, SKYLIGHT AND DOOR FRAMES.

Every window, skylight, door and frame shall be kept in sound condition and in good repair and weather tight.

(a) Glazing. All glazing materials shall be maintained free from cracks and holes.

(b) Openable Windows. Every window, other than a fixed window, **shall have tightly fitted screens free of damage or openings,** shall be easily openable and capable of being held in position by window hardware.