



# City of Columbus

## Legislation Report File Number: 0127-2019

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

### 30-Day

**File ID:** 0127-2019 **Type:** Ordinance **Status:** Passed

**Version:** 1 **\*Committee:** Rules & Reference Committee

**File Name:** Board Membership Code Updates **File Created:** 12/28/2018

**Final Action:** 02/06/2019

### Auditor Cert #:

**Auditor:** When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

**Contact Name/No.:** Paul Freedman; 614-645-0704

### Floor Action (Clerk's Office Only)

### Mayor's Action

### Council Action

Mayor	Date	Date Passed/ Adopted	President of Council
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Veto	Date	City Clerk
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### Title:

To amend various sections of the Columbus City Code, Zoning Code, Title 33, and the Building Code, Title 41, in order to codify similar qualifications for membership on the various public boards and commissions staffed by the Department of Building and Zoning Services.

**Sponsors:** Priscilla Tyson



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### Attachments:

### Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	2	1/2/2019	Michael Bowen	Approved	1/4/2019
1	3	1/4/2019	ATTORNEY APPROVER	Approved	1/4/2019
<b>Notes:</b> JTC					
1	4	1/4/2019	Heather Treanor	Approved	1/8/2019
1	5	1/4/2019	Aileen Heiser	Approved	1/8/2019
1	6	1/7/2019	Adam Robins	Approved	1/8/2019
1	7	1/7/2019	Joe Lombardi	Delegated	
<b>Notes:</b> Delegated: Out Of Office					
1	8	1/7/2019	Dan Giangardella	Approved	1/8/2019
1	9	1/8/2019	ODI APPROVER	Approved	1/9/2019
1	10	1/8/2019	Auditor Reviewer	Approved	1/10/2019
<b>Notes:</b> MNK/blp					
1	11	1/8/2019	AUDITOR APPROVER	Approved	1/10/2019
<b>Notes:</b> MNK/bam					
1	12	1/11/2019	ATTORNEY APPROVER	Approved	1/10/2019
<b>Notes:</b> wsb					

### History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	01/28/2019	Read for the First Time				
1	Columbus City Council	02/04/2019	Approved				Pass
1	COUNCIL PRESIDENT	02/04/2019	Signed				
1	MAYOR	02/05/2019	Signed				



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1 CITY CLERK

02/06/2019 Attest

**ODI:** Following the review and approval, when required, the Office of Diversity and Inclusion certifies compliance with Title 39 as of date listed.

**City Attorney:** Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

### Explanation

#### BACKGROUND:

This code change codifies similar rules and qualifications for membership on the various public boards and commissions staffed by the Department of Building and Zoning Services. Current code lacks any consistency for the qualifications of being appointed to one of the several public boards or commissions staffed though the Department of Building and Zoning Services, and in some cases resulting in residents that reside in the City of Columbus, but not Franklin County, not being eligible to serve. This code change provides for uniform rules for membership, appointment, and participation for these various boards and commission.

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

### Title

To amend various sections of the Columbus City Code, Zoning Code, Title 33, and the Building Code, Title 41, in order to codify similar qualifications for membership on the various public boards and commissions staffed by the Department of Building and Zoning Services.

### Body

**WHEREAS,** this code change codifies similar rules and qualifications for membership on the various public boards and commissions staffed by the Department of Building and Zoning Services; and

**WHEREAS,** current code lacks any consistency for the qualifications of being appointed to one of the several public boards or commissions staffed though the Department of Building and Zoning Services, and



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in some cases resulting in residents that reside in the City of Columbus, but not Franklin County, not being eligible to serve; and

**WHEREAS**, this code change provides for uniform rules for membership, appointment, and participation for these various boards and commission; now, therefore,

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

**SECTION 1.** That the existing Section 3307.03 of the Columbus City Codes is hereby amended to read as follows:

#### **3307.03 Creation of board of zoning adjustment.**

A board of zoning adjustment consisting of five members is hereby created. Members shall be appointed by the mayor for a term of three years and shall be residents of Franklin county or a county abutting Franklin county. The majority of board members shall be residents of the city of Columbus. The term of each board member shall continue until a successor is appointed. The mayor may remove any commissioner for incompetence, neglect of duty, malfeasance, or misconduct in office. Vacancies caused by death, resignation or otherwise shall be filled for the unexpired term in the same manner as original appointments are made. ~~A board of zoning adjustment is created consisting of five residents of Franklin County, all to be appointed by the mayor, and to serve overlapping terms of three years each. Appointments shall be made so as to include on the board of zoning adjustment at all times at least three residents of the city and at least three members actively engaged as an architect, attorney, building contractor, professional engineer, real estate broker, or mortgage banker. Members shall be paid for board service in accordance with the administrative salary ordinance.~~

**SECTION 2.** That the existing Section 3310.11 of the Columbus City Codes is hereby amended to read as follows:

#### **3310.11 Development commission-Membership-Terms.**

A development commission consisting of seven members is hereby created; members shall be appointed by the mayor with the approval of council for a term of three years and shall be residents of Franklin county or a county abutting Franklin county. The majority of commission members shall be residents of the city of Columbus. The term of each commission member shall continue until a successor is appointed. Commission members shall hold no other salaried public office during their tenure. The mayor may remove any member for incompetence, neglect of duty, malfeasance, or misconduct in office. Vacancies caused by death, resignation or otherwise shall be filled for the unexpired term in the same manner as original appointments are made. All commission members shall receive payment for each meeting



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attended in accordance with the administrative salary ordinance.

~~The development commission, created as the successor to the city planning commission, shall consist of seven regular members and three alternate members who all shall be citizens of the City of Columbus and who shall, while members of the commission, hold no other salaried public office. The members shall be appointed by the mayor with the approval of council. The three alternate members shall also be appointed by the mayor with the approval of council.~~

~~All commission members shall be paid for commission service in accordance with the master salary ordinance. Failure of a regular member to attend 75 percent of all regularly scheduled meetings per year, or failure to attend two regularly scheduled meetings in one year without notifying the director or such staff person as designated by the director of that member's inability to attend and the need for an alternate member to take the regular member's place and without an excuse acceptable to a majority of the other members of the commission, shall be cause for the revocation of appointment by the mayor with the approval of council.~~

~~Terms of the members shall be three years.~~ The commission shall annually elect from among the regular membership a chairperson and such other officers as may be appropriate, who shall serve in such capacity for one year or until such time as a successor is elected; such duly elected officers may be re-elected for consecutive terms. Members heretofore appointed to the development commission and approved are hereby ratified and confirmed as regular members of the development commission for the balance of the term to which they were originally appointed.

~~Each alternate member of the development commission shall be on call for all development commission meetings to take the place of a regular member when such regular member cannot attend a meeting. The alternate member shall have all of the powers and responsibilities of the regular member when serving in the place of such regular member.~~

**SECTION 3.** That the existing Section 3381.10 of the Columbus City Codes is hereby amended to read as follows:

### **3381.10 Board of review of general and limited sign erectors ~~Licensing regulations.~~**

A. The board of review of general and limited sign erectors shall consist of five members: one public member and four members who are actively engaged in the sign industry; two of whom shall be license-holders. The director or his or her designee shall serve as a nonvoting secretary for the board.

No member of any board of review shall be employed or affiliated with the same business entity or entities of another. No public member shall have a direct or indirect interest, as defined in C.C. 501.02, in any thing, place, or business that is required to be licensed by the Columbus City Codes.

~~If a board of review would be comprised of less than a majority of its voting members who are legal residents of the city by the appointment of a non-resident of the city, the director shall only appoint a~~



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~~legal resident of the city.~~

B. The board members shall be appointed by the director for a term of three years and shall be residents of ~~the city of~~ Franklin county ~~County~~ or a county abutting Franklin county ~~County~~. The majority of board members shall be residents of the city of Columbus. The director may remove any member for incompetence, neglect of duty, malfeasance, or misconduct in office. Vacancies caused by death, resignation or otherwise shall be filled for the unexpired term in the same manner as original appointments are made. The term of each board member shall continue until a successor is appointed. Each board member shall be reimbursed in accordance with the administrative salary ordinance for each meeting attended. Three members of the board in attendance shall constitute a quorum. The board shall meet as often as required by the bylaws.

C. Duties and Powers of the Board of Review.

1. To review the qualifications as established in C.C. 3381.12, of all applicants who have filed a complete application with the department. For all such applicants who have met the qualification requirements of this chapter, the board shall then certify the names of the qualified applicants to the department for the issuance of the appropriate license.
2. To suspend or revoke the license of sign erectors who have violated the terms of this graphics code or who have failed to take out proper permits as required by law, or who have been shown, after proper hearing, to be persistent and habitual violators of the laws of the state, the provisions of this graphics code, or other ordinances of the city relating to the construction, installation, or maintenance of graphics, or relating to the inspection and approval of such work.
3. To make, adopt, and, from time to time, alter its own rules of procedure for the conduct of its meetings and proceedings, and to select its own chairperson.

D. Any and all decisions of the board of review may be appealed to the graphics commission, as provided by C.C. 3382.03.

**SECTION 4.** That the existing Section 3382.01 of the Columbus City Codes is hereby amended to read as follows:

### **3382.01 Creation of graphics commission.**

A. A graphics commission is hereby created, consisting of seven members ~~to consist of seven residents of the city of Columbus or Franklin County.~~ Appointments shall be made so as to include on the graphics commission at all times:

1. Three persons actively engaged as an architect, attorney, building contractor, professional engineer, real estate broker, or mortgage banker;
2. Two persons actively engaged in the sign industry;



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3. Two persons not actively engaged in any of the professions listed in (1) or (2) above.

B. The commission members shall be appointed by the mayor for a term of three years and shall be residents of Franklin county or a county abutting Franklin county. The majority of commission members shall be residents of the city of Columbus. The term of each commissioner shall continue until a successor is appointed. The mayor may remove any member for incompetence, neglect of duty, malfeasance, or misconduct in office. Vacancies caused by death, resignation or otherwise shall be filled for the unexpired term in the same manner as original appointments are made.

~~All members shall be appointed by the mayor to serve overlapping three-year terms.~~

~~C. All commission members shall be paid for commission service in accordance with the administrative salary ordinance. Failure of a regular member to attend 75 percent of all regularly scheduled meetings per calendar year without an excuse acceptable to a majority of the other members of the commission, shall be cause for the review of the member's appointment by the mayor, who may, with the approval of council, revoke said appointment.~~

D. The department shall serve as staff for the commission.

**SECTION 5.** That the existing Section 4107.01 of the Columbus City Codes is hereby amended to read as follows:

### **4107.01 Organization; composition; term.**

In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Building Code, there is hereby created a building commission, consisting of seven voting members, who are qualified by experience and training to pass upon matters pertaining to building construction.

One member shall be a practicing architect, one a general building contractor, one a house builder, one a structural engineer, one a mechanical engineer, one a representative of building labor, and one a representative of building material supplies, each of whom have ample experience in their respective fields, all of such members to be appointed by the mayor. The building inspector shall be a nonvoting ex-officio member and shall act as secretary to the commission. The commission members shall be appointed by the mayor for a term of three years and shall be residents of Franklin county or a county abutting Franklin county. The majority of commission members shall be residents of the city of Columbus. The term of each commissioner shall continue until a successor is appointed. The mayor may remove any member of the commission, except the secretary, for incompetence, neglect of duty, malfeasance, or misconduct in office. The seven voting members so appointed by the mayor shall be appointed for terms of four years. Vacancies caused by death, resignation or otherwise shall be filled for the unexpired term in the same manner as original appointments are made.

Each member (except the secretary) shall be paid in accordance with the administrative salary ordinance. ~~The mayor may remove any member of the commission (except the inspector) for incompetency, neglect of duty, malfeasance or misconduct in office. Commission members shall continue~~



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~~to serve after their term has expired until they have been reappointed or until a new member has been appointed.~~

~~There shall be a majority of citizens of the city on this commission, except that present members are hereby reappointed as the mayor shall designate and shall be exempt from residency requirements until their terms run out, and thereafter there shall be a majority of residents of city.~~

The building commission shall adopt reasonable rules and regulations for its procedure not inconsistent with the provisions of this Building Code.

**SECTION 6.** That the existing Section 4114.303 of the Columbus City Codes is hereby amended to read as follows:

### **4114.303 Composition of boards.**

(A) Each board of review shall be composed of seven voting members and a secretary. Four voting members of a board in attendance at a meeting shall constitute a quorum.

(B) The Chief Building Official or his or her designee shall be the secretary to such board. The secretary of a board of review is not a voting member of the board.

(C) The membership of the Skilled Trades Review Board shall be as follows:

(1) Two members shall be licensed or registered by the Department as one of the following:

- (a) a licensed sewer contractor,
- (b) a licensed water contractor,
- (c) a licensed combination sewer/water contractor,
- (d) a licensed journeyman plumber,
- (e) a registered, OCILB licensed plumbing contractor, or
- (f) a certified individual providing scope of work validation for fire alarm and detection equipment and/or fire protection companies.

(2) Two members shall be department-registered, OCILB licensed electrical contractors.

(3) Two members shall be licensed or registered by the Department as one of the following:

- (a) a registered, OCILB licensed refrigeration contractor,
- (b) a registered, OCILB licensed warm air heating and air conditioning contractor (HVAC), or
- (c) a registered, OCILB licensed hydronics (steam and hot water) contractor.

(4) One public member who is familiar with one of the construction industries relevant the Skilled Trades Review Board.

(D) The membership of the board of review of general and home improvement contractors shall be as follows:

(1) Two department-licensed home improvement general contractors with current, valid licenses





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whom shall be actively engaged in home improvement general contracting.

(2) Two department-licensed home improvement limited contractors with current, valid licenses whom shall be actively engaged in home improvement limited contracting.

(3) Two department-registered general contractors with current, valid registration whom shall be actively engaged in the work of a registered general contractor. One shall operate their business under a collective agreement with a recognized labor organization, and one shall not.

(4) One public member, who is familiar with the construction industry relevant to the board of review of general and home improvement contractors.

(E) No member of any board of review shall be employed or affiliated with the same business entity or entities of another. No public member shall have a direct or indirect interest, as defined in C.C. 501.02, in any thing, place or business that is required to be licensed by the Columbus City Codes.

(F) Except for the secretary, all members shall be appointed by the director for a term of three years and shall be residents of Franklin county or a county abutting Franklin county. The majority of board members

shall be residents of the city of Columbus. The term of each member shall continue until a successor is appointed. The director may remove any member, except the secretary, for incompetence, neglect of duty, malfeasance, or misconduct in office. Vacancies caused by death, resignation or otherwise shall be filled for the unexpired term in the same manner as original appointments are made. All members shall receive payment for each meeting attended in accordance with the administrative salary ordinance.

~~Except for the secretary, all members of a board of review shall be legal residents of the city or of the counties therein situated and appointed for a term of three years by the director of the department. The term of each board member shall continue until a successor is appointed. The director may remove any member of the board, except the secretary, for incompetence, neglect of duty, malfeasance, or misconduct in office. Each voting board member shall receive payment for each meeting attended in accordance with the administrative salary ordinance.~~

~~(G) If a board of review would be comprised of less than a majority of its voting members who are legal residents of the city by the appointment of a non resident of the city, the director shall only appoint a legal resident of the city.~~

**SECTION 7.** That prior existing sections 3307.03, 3310.11, 3381.10, 3382.01, 4107.01, and 4114.303 of the Columbus City Codes are hereby repealed.

**SECTION 8.** That this ordinance shall take effect and be in force from and after the earliest period provided by law.