

CHAPTER 34

EXISTING BUILDINGS AND STRUCTURES

SECTION 3401 GENERAL

3401.1 Scope. The provisions of this chapter shall control the maintenance, alteration, repair, addition and change of occupancy of existing structures.

3401.1.1 Compliance. Compliance shall be demonstrated by meeting the requirements of one of the following options:

1. Chapters 2 through 33 of this code; or
2. Sections 3403 through 3411; or
3. Section 3412 Compliance Alternatives.

3401.1.1.1 Energy Code compliance. Alterations, repairs, additions and changes of occupancy to, or relocation of, existing buildings and structures shall also comply with the provisions for alterations, repairs, additions and changes of occupancy or relocation in the International Energy Conservation Code, and the ASHRAE 90.1 as referenced in Chapter 35. Where provisions of the other codes conflict with provisions of this chapter, the provisions of this chapter shall take precedence.

3401.1.2 Occupancy and use. When determining the appropriate application of the referenced sections of this code, the occupancy and use of a building shall be determined in accordance with Chapter 3.

3401.1.3 General requirements. Section 3406 Fire Escapes, 3407 Glass Replacement, and 3411 Accessibility for Existing Buildings shall apply to all buildings within the scope of Chapter 34.

3401.2 Maintenance. Buildings, structures, equipment and parts thereof, shall be maintained in a safe and sanitary condition and in accordance with the condition(s) established in current and any previous plan approvals and certificates of occupancy. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the building official shall have the authority to require a building or structure to be inspected. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures without approval of the building official.

3401.4 Building materials and systems. Building materials and systems shall comply with the requirements of this section.

3401.4.1 Existing materials. Materials already in use in a building in compliance with requirements or approvals in effect at the time of their erection or installation shall be permitted to remain in use unless determined by the building code official to be dangerous to life, health or safety

per Section 109. Where such conditions are determined to be dangerous to life, health or safety, they shall be mitigated or made safe.

3401.4.2 New and replacement materials. Except as otherwise required or permitted by this code, materials permitted by the applicable code for new construction shall be used. Like materials shall be permitted for repairs and alterations, provided no hazard to life, health or property is created. Hazardous materials shall not be used where the code for new construction would not permit their use in buildings of similar occupancy, purpose and location.

3401.4.3 Used materials and products. The use of used materials and products which meet the requirements of this code for new materials and products is permitted. Used products and materials shall not be reused unless approved by the building official.

3401.4.4 Renovation, repair, and paint certification requirements and asbestos abatement. The contractor requirements for the "Renovation, Repair, and Paint" certification program and the contractor requirements for asbestos abatement are within the jurisdiction of the rules of the Ohio Department of Health and the Ohio Environmental Protection Agency respectively.

3401.4.5 Fire resistance determination for existing assemblies and materials. When this chapter requires a fire resistive assembly or component, and there is no available evidence matching the assembly or component to a tested, rated assembly or component, the fire resistance rating of the existing assembly or component shall be evaluated by using Section 721 or "Resource A, Guidelines on Fire Ratings of Archaic Materials and Assemblies" in the "International Existing Buildings Code".

3401.5 Compliance with seismic forces. Where compliance with the seismic design provisions of this code is required, the procedures shall be in accordance with the following:

3401.5.1 Existing seismic force-resisting systems. Values of R , Ω_o , and C_a for the existing seismic force-resisting system shall be those specified by this code for an ordinary system unless it is demonstrated that the existing system will provide performance equivalent to that of a detailed, intermediate or special system. Seismic systems not having an ASCE 7 category of ordinary shall be analyzed using ASCE 7 values for the respective system.

3401.5.2 Seismic evaluation and design procedures. The seismic evaluation and design shall be based on the procedures specified in Chapter 16 or ASCE 41 per this section.

1. Chapter 16 of this code using one hundred per cent of the prescribed forces, or,
2. Compliance with ASCE 41 based on the applicable performance level as shown in Table 3401.5.2. It shall be permitted to use the "BSE-1E" earthquake hazard level as defined in ASCE 41.

CITY OF MASSILLON

ONE JAMES DUNCAN PLAZA

MASSILLON, OHIO 44646

PHONE (330) 830-1706 FAX (330) 830-1776

FED TAX ID NO. 34-6001829

COPY

PURCHASE ORDER

No.

2011001466

SHIP
TOMUNICIPAL GOVERNMENT ANNEX
ADMINISTRATION BUILDING
151 LINCOLN WAY EAST
MASSILLON OHIO 44646

VENDOR

OPEN PURCHASE ORDER (OPEN)

PURCHASE ORDER DATE

CONTRACT NO.

01/12/2011

By shipping the goods below or by acknowledging receipt of the order or by performing the work below you agree to the terms and conditions of sale which appear on the face. Any different or additional terms in your acceptance of this offer are hereby objected to.

DESCRIPTION	REQ. NO.	ACCOUNT CODE	QUANTITY	UNIT	BALANCE	AMOUNT
FIRE DAMAGE STRUCTURE FUND 2011	0831	23107-905-5-2390	0.00		.0000	50000.00
5/18/11						
Scott Longheier (New Vendor)						
24 LINCOLN WAY EAST						
MASSILLON, OH 44646						
Release of Fire Funds - Longheier						
PAYMENT APPROVED <u>Tracey Ward</u>		MATERIALS RECEIVED <u>✓</u>				
DEPARTMENT HEAD <u>[Signature]</u>		DATE <u>5/18/11</u>				
PLEASE NOTE: THE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, PACKING SLIPS, SHIPPING PAPERS AND ALL CORRESPONDENCE. ALL PURCHASES EXEMPT FROM STATE AND FEDERAL EXCISE TAXES.			TOTAL AMOUNT NOT TO EXCEED 50000.00			

#11,800⁰⁰

I hereby certify that the amount required to meet the obligation created by this instrument has been lawfully appropriated for such purpose, is in the treasury or in the process of collection to the credit of the proper fund, free from any previous encumbrances.

Michael Anderson
SAFETY SERVICE DIRECTOR

**CITY OF MASSILLON BUILDING DEPARTMENT
INTERNAL CORRESPONDENCE**

To: Auditor's Office
From: Building Department
Date: 5/18/2011
RE: RELEASE OF FUNDS

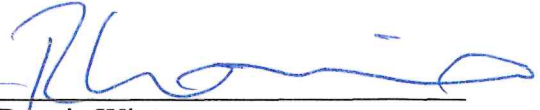
In reference to the fire damaged dwelling, which is located at 24 Lincoln Way East, Massillon, Ohio 44646:

All repairs have been completed to Code and final inspections made.

It is the recommendation of the Building Department that the funds on deposit in the sum of eleven thousand eight hundred dollars (\$11,800.00) be released to Scott Longheier (Duncan Jewelers), as per Massillon City Ordinance No. 130-1981.



Roger H. Houpt
Chief Building Official



Reggie Winters
Fire Prevention Officer

RHH/tgw
C: file

RECEIPT
CITY OF MASSILLON
Stark County, Ohio

From Department BUILDING DEPARTMENT

<u>Quantity</u>	<u>Description</u>	<u>Amount</u>	<u>Fund</u>
	Fire Loss of Property:	\$11,800.00	3107.905.4.1890
	Westfield Insurance		
	Date of Loss: April 12, 2009		
	Scott Longheier (Duncan Jewelers)		
	24 Lincoln Way East		
	Massillon, OH 44646		
	Ordinance No. 130-1981		
	Check #4974392		
	TOTAL	\$11,800.00	

**CITY OF MASSILLON BUILDING DEPARTMENT
EXTERNAL CORRESPONDENCE**

TO: Tracee Ward – Building Department
FROM: Michael Saracina, Jr., Code Enforcement Officer 1
DATE: May 22, 2009
RE: 10 and 24 Lincoln Way East – Fire Bond Money

Please find attached checks for \$11,800.00 (24 Lincoln Way East) and \$6,680.00 (10 Lincoln Way East) that is to be deposited in our fire fund account.

Thank you


7



WESTFIELD
INSURANCE

A member of Westfield GroupSM

May 20, 2009

Massillon Building Department
Attn: Tracee Ward
141 Lincoln Way East
Massillon OH 44646

Re: Insured: SCOTT LONGHEIER
Claim No.: NR-BOP-3034993-041209-A
Date of Loss: APRIL 12, 2009

Dear Ms. Ward,

The following information is in regard to a property by Westfield Group. This property sustained fire damage on April 12, 2009.

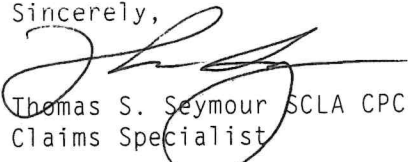
Enclosed please find our payment per Ohio Revised Code Section 3929.86, The Ohio Demolition Expense Fund totaling \$11,800.00

Insured's Name: Scott Longheier
Address: 24 Lincoln Way East
Massillon OH 44646
Phone: 330-309-9092

Location of Fire: 24 Lincoln Way East

Policy Limits to building	\$88,500.00
Divided by \$15000	5.90
Demo Fund Payment	\$11,800.00

Sincerely,


Thomas S. Seymour SCLA CPCU
Claims Specialist

**OHIO LAW REQUIRES US TO NOTIFY YOU OF
THE FOLLOWING:**

"Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application, or files a claim containing a false or deceptive statement is guilty of insurance fraud."

4974392

PREFIX	CLAIM NUMBER
NR	BOP-3034993



WESTFIELD
INSURANCE
Sharing Knowledge. Building Trust.

JPMORGAN CHASE BANK, N.A.
COLUMBUS, OH

56-1544 / 441

DATE **MAY 21, 2009**

CK. # **4974392**

TO
PAY
FOR **Demo Fund**

\$ **11,800.00**

DOLLARS

PAY
PAY TO THE
ORDER OF

ELEVEN THOUSAND EIGHT HUNDRED AND NO/100

City of Massillon

Insured: SCOTT LONGHEIER

Claimant:

AUTHORIZED SIGNATURE

015
ADJ. NO.

⑈4974392⑈ ⑆044115443⑆

660610494⑈

(Tear at Perforation.....)

Agency: A A HAMMERSMITH INS. INC.

Claim Representative: Thomas S. Seymour

Check Number: 4974392 Date Issued: MAY 21, 2009

Amount: \$11,800.00

Demo fund payment

Important Notice Concerning Endorsement Requirements:

This instrument will not be honored unless endorsed by all payees.

**MASSILLON BUILDING DEPT
151 LINCOLN WAY EAST
MASSILLON, OH 44646-0000**

STATE LAW REQUIRES US TO NOTIFY YOU OF
THE FOLLOWING:

ANY PERSON WHO, KNOWINGLY AND WITH INTENT TO
DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON,
SUBMITS AN APPLICATION OR CLAIM CONTAINING ANY
MATERIALLY FALSE OR DECEPTIVE INFORMATION OR
CONCEALS, FOR THE PURPOSE OF MISLEADING, ANY
MATERIAL INFORMATION COMMITS A FRAUDULENT
INSURANCE ACT WHICH IS A CRIME.

RECEIPT
CITY OF MASSILLON
Stark County, Ohio

From Department BUILDING DEPARTMENT

<u>Quantity</u>	<u>Description</u>	<u>Amount</u>	<u>Fund</u>
	Fire Loss of Property:	\$6,680.00	3107.905.4.1890
	Westfield Insurance		
	Joel Dutton & Whitney Dutton (Dutton Auction & Real Estate)		
	10 Lincoln Way East		
	Massillon, OH 44646		
	Ordinance No. 130-1981		
	Check #4974517		
	TOTAL	\$6,680.00	

Five Funds
Monies
Received
- Dutton

Original

AUDITOR'S COPY

RECEIPT
CITY OF MASSILLON
Stark County, Ohio

Date 5/28/09 & 6/2/09
Pay-In-Order No. Corrected Total
See Other Two
Receipts

From Department BUILDING DEPARTMENT

<u>Quantity</u>	<u>Description</u>	<u>Amount</u>	<u>Fund</u>
	Fire Loss of Property:	\$6,680.00	3107.905.4.1890
	Westfield Insurance		
	Joel Dutton & Whittney Dutton (Dutton Auction & Real Estate)		
	10 Lincoln Way East		
	Massillon, OH 44646		
	Ordinance No. 130-1981		
	Check #4974517		
	TOTAL	\$6,680.00	

6,680.00 TOTAL

5,344.00 80% Release per WLK

1,336.00 20% Hold until completed

X
JOEL BUTTON DATE
Received 1st check for 80% of funds
X [Signature] 7-31-07
Jared Button DATE

RECEIPT
CITY OF MASSILLON
Stark County, Ohio

Date 6/2/2009
Pay-In-Order No. _____

From Department BUILDING DEPARTMENT

<u>Quantity</u>	<u>Description</u>	<u>Amount</u>	<u>Fund</u>
	Fire Loss of Property:	-\$120.00	3107.905.4.1890
	Westfield Insurance		
	Negative Deposit (Original Deposit Was \$120.00 Over)		
	Joel Dutton & Whittney Dutton (Dutton Auction & Real Estate)		
	10 Lincoln Way East		
	Massillon, OH 44646		
	Ordinance No. 130-1981		
	Check #4974517		
	TOTAL	-\$120.00	

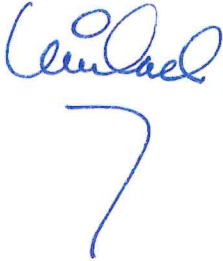
RECEIPT
CITY OF MASSILLON
Stark County, Ohio

**CITY OF MASSILLON BUILDING DEPARTMENT
EXTERNAL CORRESPONDENCE**

TO: Tracee Ward – Building Department
FROM: Michael Saracina, Jr., Code Enforcement Officer I
DATE: May 22, 2009
RE: 10 and 24 Lincoln Way East – Fire Bond Money

Please find attached checks for \$11,800.00 (24 Lincoln Way East) and \$6,680.00 (10 Lincoln Way East) that is to be deposited in our fire fund account.

Thank you

A handwritten signature in blue ink, appearing to read "Michael", followed by a large handwritten number "7" below it.

PREFIX	CLAIM NUMBER
R	CWP-4427547


WESTFIELD
INSURANCE

Sharing Knowledge. Building Trust.®

DATE **MAY 27, 2009**CK. # **4974517**TO
PAY
FOR **DemoFund; 10L inW**\$ **6,680.00**

DOLLARS

PAY **SIX THOUSAND SIX HUNDRED EIGHTY AND NO/100**PAY TO THE
ORDER OF**CITY OF MASSILLON**Insured: **JOEL DUTTON & WHITTNEY DUTTON**

Claimant:

AUTHORIZED SIGNATURE

D33
ADJ. NO.

⑈4974517⑈ ⑆044115443⑆

660610494⑈

(Tear at Perforation.....)

Agency: **A A HAMMERSMITH INS. INC.**Claim Representative: **Gabriel D. Yensho**Check Number: **4974517** Date Issued: **MAY 27, 2009**Amount: **\$6,680.00**Insured: **JOEL DUTTON & WHITTNEY DUTTON** Claim: **R-CWP-4427547** Date of Loss: **4/12/09**

Dear Mr. Saracina,

This is payment for the Demolition Fund for:

10 Lincoln Way E

Parcel 0604861

Joel Dutton / Dutton Auction & Real Estate

Sincerely,

Gabe Yensho

Regional Property Specialist

1(800)243-0215 ext 206

Important Notice Concerning Endorsement Requirements:

This instrument will not be honored unless endorsed by all payees.

CITY OF MASSILLON
ATTN: MICHAEL SARACINA
151 LINCOLN WAY E
MASSILLON, OH 44646-0000

STATE LAW REQUIRES US TO NOTIFY YOU OF
THE FOLLOWING:

ANY PERSON WHO, KNOWINGLY AND WITH INTENT TO
DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON,
SUBMITS AN APPLICATION OR CLAIM CONTAINING ANY
MATERIALLY FALSE OR DECEPTIVE INFORMATION OR
CONCEALS, FOR THE PURPOSE OF MISLEADING, ANY
MATERIAL INFORMATION COMMITS A FRAUDULENT
INSURANCE ACT WHICH IS A CRIME.

CITY OF MASSILLON

ONE JAMES DUNCAN PLAZA

MASSILLON, OHIO 44646

PHONE (330) 830-1706 FAX (330) 830-1776

FED TAX ID NO. 34-6001829

COPY**PURCHASE ORDER**

No. 2009000682

SHIP
TOMUNICIPAL GOVERNMENT ANNEX
ADMINISTRATION BUILDING
151 LINCOLN WAY EAST
MASSILLON OHIO 44646

VENDOR

OPEN PURCHASE ORDER (OPEN)

PURCHASE ORDER DATE

CONTRACT NO.

02/17/2009

By shipping the goods below or by acknowledging receipt of this order or by performing the work below you agree to the terms and conditions of sale which appear on the face. Any different or additional terms in your acceptance of this offer are hereby objected to.

LINE NO.	DESCRIPTION	REQ. NO.	ACCOUNT CODE	QUANTITY	UNIT	BALANCE	AMOUNT
01	RELEASE OF FIRE INSURANCE 2009	9490	3107-905-5-2390	0.00		.0000	20000.00
7/24/09 (New Vendor) Joel & Whitney Dutton (Dutton Auction & Real Estate) 10 Lincoln Way East Massillon, OH 44646 80% Partial Release of Funds PAYMENT APPROVED <u>Trace Ward</u> MATERIALS RECEIVED <u>✓</u> DEPARTMENT HEAD <u>[Signature]</u> DATE <u>2/17/09</u> #5,344.00							

PLEASE
NOTE:

THE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, PACKING SLIPS, SHIPPING PAPERS AND ALL CORRESPONDENCE. ALL PURCHASES EXEMPT FROM STATE AND FEDERAL EXCISE TAXES.

TOTAL AMOUNT
NOT TO EXCEED

20000.00

I hereby certify that the amount required to meet the obligation created by this instrument has been lawfully appropriated for such purpose, is in the treasury or in the process of collection to the credit of the proper fund, free from any previous encumbrances.

Michael J. Henderson
SAFETY SERVICE DIRECTOR

COMPLETED

CITY OF MASSILLON

ONE JAMES DUNCAN PLAZA

MASSILLON, OHIO 44646

PHONE (330) 830-1706 FAX (330) 830-1776

FED TAX ID NO. 34-6001829

PURCHASE ORDER

No. 2009000682

SHIP
TO

MUNICIPAL GOVERNMENT ANNEX
ADMINISTRATION BUILDING
151 LINCOLN WAY EAST
MASSILLON OHIO 44646

PURCHASE ORDER DATE

02/17/2009

CONTRACT NO.

VENDOR

OPEN PURCHASE ORDER (OPEN)

By shipping the goods below or by acknowledging receipt of this order or by performing the work below you agree to the terms and conditions of sale which appear on the face. Any different or additional terms in your acceptance of this offer are hereby objected to.

LINE NO.	DESCRIPTION	REQ. NO.	ACCOUNT CODE	QUANTITY	UNIT	BALANCE	AMOUNT
001	RELEASE OF FIRE INSURANCE 2009	9490	3107-905-5-2390	0.00		.0000	20000.00
2/25/10 Joel + Whitney Dutton Release of Remaining Funds - Dutton <i>[Signature]</i> JOEL DUTTON Received final check for remaining 20% of funds DATE 2/17/09							
PAYMENT APPROVED <i>[Signature]</i>						MATERIALS RECEIVED ☒	
DEPARTMENT HEAD <i>[Signature]</i>						DATE 2/17/09	

\$1,336.00

PLEASE
NOTE:

THE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, PACKING SLIPS, SHIPPING PAPERS AND ALL CORRESPONDENCE. ALL PURCHASES EXEMPT FROM STATE AND FEDERAL EXCISE TAXES.

TOTAL AMOUNT
NOT TO EXCEED

20000.00

I hereby certify that the amount required to meet the obligation created by this instrument has been lawfully appropriated for such purpose, is in the treasury or in the process of collection to the credit of the proper fund, free from any previous encumbrances.

[Signature]
SAFETY SERVICE DIRECTOR

AUDITOR

**CITY OF MASSILLON BUILDING DEPARTMENT
INTERNAL CORRESPONDENCE**

To: Auditor's Office
From: Building Department
Date: 2/19/2010
RE: RELEASE OF FUNDS

In reference to the fire damaged structure which is located at 10 Lincoln Way East, Massillon, Ohio 44646:

All repairs have been completed to Code and final inspections made.

This structure is owned by Joel & Whitney Dutton (Dutton Auction & Real Estate).

The remaining funds on deposit with the City of Massillon for Joel & Whitney Dutton (Dutton Auction & Real Estate) is one thousand three hundred thirty six dollars (\$1,336.00).

The Building Department is authorizing a final release of 20% of the funds in the amount of one thousand three hundred thirty-six dollars (\$1,336.00) be released to Joel & Whitney Dutton (Dutton Auction & Real Estate), per Massillon City Ordinance No. 130-1981.



William L. Kraft
Chief Building Official

WLK/tgw
c: file

RECEIPT
CITY OF MASSILLON
Stark County, Ohio

Date 5/22/2009
Pay-In-Order No. _____

From Department BUILDING DEPARTMENT

<u>Quantity</u>	<u>Description</u>	<u>Amount</u>	<u>Fund</u>
	Fire Loss of Property:	\$65,740.00	3107.905.4.1890
	Acuity (A Mutual Insurance Company)		
	Date of Loss: April 12, 2009		
	Bonnie Fall (DBA Engraver's Gallery)		
	20 Lincoln Way East		
	Massillon, OH 44646		
	Ordinance No. 130-1981		
	Check #9687777		
	TOTAL	\$65,740.00	

Fire Funds
Insurance
Monies
Received
- Bonnie Tall

**CITY OF MASSILLON BUILDING DEPARTMENT
EXTERNAL CORRESPONDENCE**

TO: Tracee Ward – Building Department
FROM: Michael Saracina, Jr., Code Enforcement Officer I
DATE: May 22, 2009
RE: 20 Lincoln Way East – Fire Bond Money

Please find attached a check for \$65,740.00 that is to be deposited in our fire fund account.

Thank you



ACUITY

A Mutual Insurance Company

9687777

Payment Amount	\$65,740.00	Temporary I.D.	BBNV2KY	
Date Issued	MAY 20, 2009	Claim Number	LY1206	SMA
Date of Loss	APRIL 12, 2009	Services Dates		
Invoice Number		Pay Period		
Agency	SCHAUER/INDEPENDENT INSURANCE			Agency Number 5627

Policy Number L47576

Insured Name
FALL, BONNIE
DBA FALLMARC PROPERTIES

Paid To **BONNIE FALL AND CITY OF MASSILLON BUILDING DEPARTMENT**In Payment of **DEMOLITION DEPOSIT WITH CITY**Payment Detail **\$65,740.00 BUILDING**

FOR QUESTIONS REGARDING YOUR PAYMENT, PLEASE CALL:
SHAUN ARMSTRONG, CLAIM MANAGER
1-800-242-7666

MICHAEL C. SARACINA, JR.
MASSILLON BUILDING DEPARTMENT
151 LINCOLN WAY, EAST
MASSILLON OH 44646

PLEASE KEEP THIS NOTICE FOR YOUR RECORDS

VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT

CHECK BACKGROUND AREA CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM

ACUITY

A Mutual Insurance Company

FIRST NATIONAL BANK

PRESENT FOR PAYMENT
WITHIN 60 DAYS

9687777

DATE ISSUED
MAY 20, 2009CLAIM NUMBER
LY1206

79-937

759

PAY TO THE
ORDER OF**BONNIE FALL AND CITY OF MASSILLON BUILDING DEPARTMENT**

THE SUM OF

\$65,740 DOLLARS AND NO CENTS**\$65,740.00**

IN PAYMENT OF

DEMOLITION DEPOSIT WITH CITY

James J. Loarson
 AUTHORIZED REPRESENTATIVE

9687777 075901134 255000673

MASSILLON

LAW DEPARTMENT

TWO JAMES DUNCAN PLAZA
Massillon, Ohio 44646
(330) 830-1718



*Legal
Opinion
Regarding
Paying
Invoices*

June 26, 2009

William L. Kraft
Chief Building Official

Re: Fire Damage Fund – Bonnie's Engravers

Dear Mr. Kraft:

In response to your concerns regarding payment of expenses incurred by the City of Massillon due to the fire that occurred at Bonnie's Engraver's Gallery, please be advised that it is our opinion that any and all expenses incurred must be paid for out of the common fire insurance fund that all three businesses have paid into, without regard to which place of business the fire started.

Massillon Codified Ordinance 1309.14(b)(3) gives the City the authority to withdraw funds for any costs that are incurred for "repairs, removal, or securing of the building or other structure." If, at the conclusion of any repairs or other work that is charged to the City, there remain excess funds, "the City of Massillon shall transfer the remaining funds to the named insured or insureds."

Because the monies are paid into this common fund on a pro rata basis, the city must distribute any remaining funds pro rata to all three business enterprises. According to the numbers that you have provided, Dutton Auction & Real Estate will receive 7.9% of the remainder, Duncan Jewelers will receive 14.0%, and Bonnie's Engraver's Gallery 78.1% of the remainder of the fund.

Essentially, any bills the City pays must come out of the total fund, and not only one business' contribution. If there is money left in the fund at the conclusion of the project, the City should distribute the remainder as stated above.

If you have any further questions regarding this matter, please contact the Law Department.

Sincerely,

Pericles G. Stergios
Law Director

PGS/jtw

**CITY OF MASSILLON BUILDING DEPARTMENT
INTERNAL CORRESPONDENCE**

TO: Perry Stergios, Law Director
FROM: William L. Kraft, Chief Building Official
DATE: June 18, 2009

RE: LEGAL OPINION

Would you please read over the attached highlighted part of Section 1309.14 (b, 3) of the Codified Ordinances?

When there is a fire, the insurance company sends in fire insurance money, monies which our department submits to the Auditor's office to be deposited in a special account.

Usually, when the repairs, or in some cases a demolition, are completed and inspected, the money is then released to the owner.

In the event that the City incur expenses, Section 1309.14 (b,3) states that the City can deduct those expenses from this fund.

The City has received \$65,740 from Bonnie's Engraver's Gallery insurance company. The fire started at Bonnie's Engraver's Gallery but the stores surrounding Engraver's were damaged with smoke and water.

The City has also received fire funds from Duncan Jewelers (\$11,800) and from Dutton Auction & Real Estate (\$6,680) insurance companies.

As the Chief Building Official, it is my opinion that any charges the City has incurred in regards to securing public safety should be deducted from the fire funds of Bonnie's Engraver's Gallery. I do not think that the other two businesses who have fire funds on deposit with the City should have to pay for the expenses the City incurred.

To date, there is one bill from GPD Associates in the amount of \$1,350.12; this was for professional architectural/engineering services to ascertain the safety of the structure.

I would like to have your legal opinion in my using only Bonnie's Engraver's Gallery fire funds to pay these expenses. I do not think that the fire funds received from Duncan Jewelers & Dutton Auction should be used for said expenses, as their fire damage was the result of the fire that started at Engraver's Gallery.

1309.14 REPAIR, REMOVAL OR SECURING OF FIRE DAMAGED BUILDINGS OR STRUCTURES.

No insurance company doing business in the State of Ohio shall pay a claim of named insured for fire damaged to structure located within the City of Massillon where the amount recoverable for the fire loss to the structure under a insurance policies exceeds five thousand dollars (\$5,000) and is greater than or equal to sixty percentum (60%) of all fire insurance policy monetary limitations unless there is compliance with the following procedures:

(a) When the loss agreed to between the named insured or insureds and the insurance company or insurance companies equals or exceeds sixty percentum (60%) of the aggregate limits of liability on all fire policies covering the building or structure, the insurance company or companies in accordance with Ohio R.C. 715.26(f) shall transfer from the insurance proceeds to the City Auditor in the aggregate amount of two thousand dollars (\$2,000) for each fifteen thousand dollars (\$15,000), and each fraction of that amount, of a claim, or, if at the time of a proof of loss agreed to between the named insured or insureds and the insurance company or companies the named insured or insureds have submitted a contractor's signed estimate of the costs of removing, repairing, or securing the building or other structure shall transfer from the insurance proceeds the amount specified in the estimate. There shall be a minimum transfer of one thousand dollars (\$1,000).

(Ord. 124-2007. Passed 11-5-07.)

(1) Such transfer of proceeds shall be on a pro rata basis by all companies insuring the building or structure. Policy proceeds remaining after the transfer to the City of Massillon may be disbursed in accordance with the policy terms.

(2) The named insured or insureds may submit a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure after the transfer, and the City Auditor, after notifying the Building Inspector, shall return the amount of the fund in excess of the estimate to the named insured or insureds, provided that the City of Massillon has not commenced to remove, repair or secure the building or other structure.

(b) (1) Upon receipt of proceeds by the City of Massillon as authorized by this Section, the City Auditor shall place the proceeds in a separate fund to be used solely as security against the total cost of removing, repairing or securing incurred by the City of Massillon pursuant to Ohio R.C. 715.261.

(2) When transferring the fund as required in subsection (a) hereof, an insurance company shall provide the City of Massillon with the name and address of the named insured or insureds whereupon the City of Massillon shall contact the named insured or insureds, certify that the proceeds have been received by the City of Massillon and notify them that the following procedures will be followed:

(3) The fund shall be returned by the City Auditor to the named insured or insureds when repairs, or removal, or securing of the building or other structure have been completed and the required proof is received by the Building Inspector, provided that, the City of Massillon has not incurred any costs for such repairs, removal, or securing. If the City of Massillon has incurred any costs for repairs, removal or securing of the building or other structure, such costs shall be paid from the fund and if excess funds remain, the City of Massillon shall transfer the remaining funds to the named insured or insureds after repair, rebuilding or removal has been completed. Nothing in this section shall be construed to limit the ability of the City of Massillon to recover any deficiency under Ohio R.C. 715.261.

(4) Nothing in Ohio R.C. 3929.86(C) and (D) as adopted herein, shall be construed to prohibit the City of Massillon and the named insured or insureds from entering into an agreement that permits the transfer of funds to the named insured or insureds if some other reasonable disposition of the damaged property has been negotiated.

(Ord. 130-1981. Passed 1-20-82.)

CITY OF MASSILLON

ONE JAMES DUNCAN PLAZA

MASSILLON, OHIO 44646

PHONE (330) 830-1706 FAX (330) 830-1776

FED TAX ID NO. 34-6001829

PURCHASE ORDER

No. 2009000682

SHIP
TOMUNICIPAL GOVERNMENT ANNEX
ADMINISTRATION BUILDING
151 LINCOLN WAY EAST
MASSILLON OHIO 44646

VENDOR

OPEN PURCHASE ORDER (OPEN)

*Invoice
for GPD
Associates
for building
valuation*

DESCRIPTION	REQ. NO.	ACCOUNT CODE	QUA
01 RELEASE OF FIRE INSURANCE 2009 7/14/09	9490	3107-905-5-2390	0.00
GPD Associates (New Vendor) 520 South Main Street, Suite 2531 Akron, OH 44311-1010 Invoice # 2009000.31-1			
PAYMENT APPROVED <i>Trace Ward</i>			MATERIALS RECEIVED ☒
DEPARTMENT HEAD <i>[Signature]</i>			DATE 2/17/09

\$1,350.12

PLEASE NOTE: THE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES. PACKAGES, PACKING SLIPS, SHIPPING PAPERS AND ALL CORRESPONDENCE. ALL PURCHASES EXEMPT FROM STATE AND FEDERAL EXCISE TAXES.

TOTAL AMOUNT
NOT TO EXCEED

20000.00

I hereby certify that the amount required to meet the obligation created by this instrument has been lawfully appropriated for such purpose, is in the treasury or in the process of collection to the credit of the proper fund, free from any previous encumbrances.

Michael Hudec
SAFETY SERVICE DIRECTOR

**CITY OF MASSILLON BUILDING DEPARTMENT
INTERNAL CORRESPONDENCE**

To: Auditor's Office
From: Building Department
Date: 6/18/2009
RE: RELEASE OF FUNDS

In reference to the fire damaged structure which is located at 20 Lincoln Way East, Massillon, Ohio 44646:

This structure is owned by Bonnie Fall (DBA Engraver's Gallery). Due to the extensive damage, professional evaluations had to be done by GPD Associates to ascertain the safety of the structure.

The total funds on deposit with the City of Massillon for Bonnie Fall (DBA Engraver's Gallery) is sixty five thousand seven hundred forty dollars (\$65,740.00).

The Building Department is authorizing a partial release of funds in the amount of one thousand three hundred fifty dollars and twelve cents (\$1,350.12) to GPD Associates for their Invoice No. 2009000.31-1, per Massillon City Ordinance No. 130-1981.



William L. Kraft
Chief Building Official

WLK/tgw
c: file

MIKE,
THIS IS THE INVOICE FROM
THE BUILDING INSPECTION
REGARDING THE FIRE.
DO YOU HAVE ANY P.O.'S TO
PAY THIS FROM? THANKS.
ICD



****GPD Associates****
Engineers - Architects - Planners
520 South Main Street Suite 2531
Akron, Ohio 44311-1010
(330) 572-2100

Invoice

April 24, 2009

Invoice No: 2009000.31 - 1

City of Massillon
Attn: Keith A. Dylewski, PE
151 Lincoln Way East
Massillon, OH 44646

Project 2009000.31 Massillon - Fire Damage Bldg. Evaluation

Letter Proposal

Professional Services from March 28, 2009 to April 24, 2009

Professional Personnel

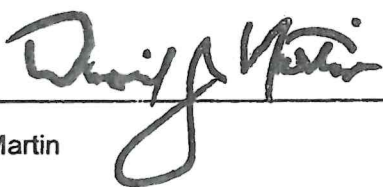
	Hours	Rate	Amount
Kabak, John	8.00	95.92	767.36
Martin, David	1.00	145.69	145.69
Shives, James	3.00	145.69	437.07
Totals	12.00		1,350.12
Total Labor			1,350.12

Total this Invoice \$1,350.12

Billings to Date

	Current	Prior	Total
Labor	1,350.12	0.00	1,350.12
Totals	1,350.12	0.00	1,350.12

Authorized


David Martin

Date: 5/6/09

CITY OF MASSILLON

ONE JAMES DUNCAN PLAZA

MASSILLON, OHIO 44646

PHONE (330) 830-1706 FAX (330) 830-1776

FED TAX ID NO. 34-6001829

PURCHASE ORDER

No. 2009000682

SHIP
TOMUNICIPAL GOVERNMENT ANNEX
ADMINISTRATION BUILDING
151 LINCOLN WAY EAST
MASSILLON OHIO 44646

VENDOR

OPEN PURCHASE ORDER (OPEN)

Partial
Release of
Funds -
Bonnie Fall

of this
ms and
or addi-
cted to.

DESCRIPTION	REQ. NO.	ACCOUNT CODE
21 RELEASE OF FIRE INSURANCE 2009 2/25/10 Bonnie Fall (New Vendor) 32 Lincoln Way East Massillon, OH 44646 Partial Release of Funds - Fall	9490	3107-905-5-2300 0.00 .0000 20000.00
PAYMENT APPROVED <u>Trace Ward</u>		MATERIALS RECEIVED <u>✓</u>
DEPARTMENT HEAD <u>[Signature]</u>		DATE <u>2/17/09</u>
PLEASE NOTE: THE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, PACKING SLIPS, SHIPPING PAPERS AND ALL CORRESPONDENCE. ALL PURCHASES EXEMPT FROM STATE AND FEDERAL EXCISE TAXES.	TOTAL AMOUNT NOT TO EXCEED <u>20000.00</u>	

\$54,389.88

I hereby certify that the amount required to meet the obligation created by this instrument has been lawfully appropriated for such purpose, is in the treasury or in the process of collection to the credit of the proper fund, free from any previous encumbrances.

Michael J. Audena
SAFETY SERVICE DIRECTOR

AUDITOR

**CITY OF MASSILLON BUILDING DEPARTMENT
INTERNAL CORRESPONDENCE**

To: Auditor's Office
From: Building Department
Date: 2/25/2010
RE: RELEASE OF FUNDS

In reference to the fire damaged structure which is located at 20 Lincoln Way East, Massillon, Ohio 44646:

This structure is owned by Bonnie Fall (DBA Engraver's Gallery).

The total funds on deposit with the City of Massillon is sixty-five thousand seven hundred forty dollars (\$65,740.00).

The Building Department is authorizing a partial release of the funds in the amount of fifty-four thousand three hundred eighty-nine dollars and eighty-eight cents (\$54,389.88) be released to Bonnie Fall.

The remaining funds in the amount of ten thousand dollars (\$10,000.00) will be kept on deposit until all openings in party walls are closed with approved masonry, per Massillon City Ordinance No. 130-1981.



William L. Kraft
Chief Building Official

WLK/tgw
c: file



The City of Massillon, Ohio

Francis H. Cicchinelli, Jr., Mayor
330.830.1700

Michael J. Loudiana
Dir. of Public Safety & Service
330.830.1702

Building Department
William L. Kraft, Chief Building Official
330.830.1724

COPY

February 19, 2010

Michael S. and Bonnie S. Fall
32 Lincoln Way East
Massillon, OH 44646

**RE: ENGRAVER'S GALLERY
20 LINCOLN WAY EAST
MASSILLON, OH 44646
FIRE ESCROW ACCOUNT \$65,740.00**

Dear Mr. and Mrs. Fall,

An inspection was conducted to finalize the following permit that remained open. The following permits have been taken out for this address:

- 1.) #2009-155 Design Restoration Contractor
- 2.) #2009-483 Butcher & Son Demolition Contractor
- 3.) #2009-846 RBS General Contracting, LLC

The above permits were found to be compliant and were entered as finalized. Mr. Roseman accompanied me on the site for the final inspection on the work that he did.

I stated to Mr. Roseman that 1341.23 of the Massillon Codified Ordinance must be complied with. I have completed the paperwork to the Massillon Auditor's office to start the release of the remaining fire funds on file, with the exception of \$10,000.00, which will be held in escrow until all openings in party walls are closed with approved masonry.

You must secure a proper permit and this must be inspected in thirty (30) working days from this notice, which will be April 2, 2010.

Any party adversely affected by this order and the notice of non-compliance set forth may appeal. This would require filing a written appeal with-in ten (10) days with the Massillon Board of Building Appeals, located at 151 Lincoln Way East, Massillon, OH, 44646.

The Massillon Board of Appeals meets on the fourth Thursday of each month at 7:30 p.m. in the council chamber room. Council Chambers are located at One James Duncan Plaza, Massillon, Ohio. If you have any questions, please contact me at the Massillon Building Department, our office hours are 8:30 a.m. to 4:30 p.m.

Respectfully Submitted,


William L. Kraft
Chief Building Official

C: Mayor Francis Cicchinelli, Jr.
Gary Anderson, Second Ward Councilman
Jim Thieret, Massillon Fire Captain

Municipal Government Annex - Administrative Building - 151 Lincoln Way, East, Massillon, OH 44646
Fax 330.830.1782 • www.massillonohio.com • tward@massillonohio.com

1341.20 SIDEWALK SHEDS.

(a) Height. Protective sidewalk sheds shall provide a clear height of not less than eight feet above the sidewalk or walkway.

(b) Construction. The roofs of such sidewalk shed shall be constructed of planks not less than two inches thick or of approved equivalent material. Every such roof shall be capable of safely sustaining a load of 150 pounds per square foot; except that when material is stored thereon, such roofs shall be capable to sustaining a load of at least 300 pounds per square foot.

(c) Size. Every required sidewalk shed shall be of adequate width to protect the pedestrians and, unless otherwise approved by the Building Inspector, shall extend for the full length of the building or other structure being demolished.

(d) Railings. When materials are prepared or work performed on the roof of any such sidewalk shed, the roof shall be enclosed on the exposed sides and ends with tight barricade not less than three feet in height, or with a substantial railing not less than three feet in height with a solid tow board not less than six inches high. (Ord. 46-1989. Passed 3-20-89.)

1341.21 ILLUMINATION OF SIDEWALK SHEDS.

All sidewalks and walkways under sidewalk sheds, or in other locations where customary street illumination is temporarily obstructed, shall be illuminated so that there will be not less than three foot candles at the sidewalk or walkway level at all times. Artificial illumination shall be provided whenever and wherever natural illumination or street light does not provide the intensity specified in this section. (Ord. 46-1989. Passed 3-20-89.)

1341.22 OBSTRUCTION MARKING.

All barricades, fences, sidewalk sheds, equipment, material, debris, pits, excavations or obstructions within the side lines of a street or alley shall be marked, after dark, with flares, red lanterns or red electric light bulbs to warn pedestrians and operators of vehicles of the presence of such obstructions, pits or excavations. (Ord. 46-1989. Passed 3-20-89.)

1341.23 PROTECTION OF PARTY WALLS.

Whenever a building or other structure, or part thereof on one side of a party wall is removed, existing party walls shall be maintained in a safe, weatherproof condition by and at the expense of the person, firm or corporation causing the building or other structure to be removed. Temporary or permanent bracing shall be provided as necessary for maintaining the stability of such party wall or adjoining building, whenever such stability is endangered by the removal of a building or other structure, or part thereof. Open beam holes in party walls exposed by removal of a building or other structure, or part thereof, shall be closed with approved masonry by and at the expense of a person, firm or corporation causing them to be exposed. (Ord. 46-1989. Passed 3-20-89.)

THE MASSILLON BOARD OF APPEALS MEETS ON THE FOURTH THURSDAY
OF EACH MONTH AT 7:30 PM IN THE COUNCIL CHAMBER ROOM.
COUNCIL CHAMBERS ARE LOCATED AT ONE DUNCAN PLAZA
MASSILLON, OHIO. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT ME
AT THE MASSILLON BLDG. DEPT. OUR OFFICE HOURS ARE 8:30 AM TO 4:30 PM

Respectfully Submitted

WILLIAM L. CBO

CC MAYOR FRANKS CICALHINI JR.
~~2ND~~ 2ND WARD COUNCILMAN GARY ANDERSON
CAPT JIM THIENET, MASSILLON FIRE DEPARTMENT
WM

CITY OF MASSILLON

ONE JAMES DUNCAN PLAZA

MASSILLON, OHIO 44646

PHONE (330) 830-1706 FAX (330) 830-1776

FED TAX ID NO. 34-6001829

COPY

PURCHASE ORDER

No. 2010000668

SHIP
TOMUNICIPAL GOVERNMENT ANNEX
ADMINISTRATION BUILDING
151 LINCOLN WAY EAST
MASSILLON OHIO 44646

VENDOR

OPEN PURCHASE ORDER (OPEN)

Final
Release
of Funds
Bonnie Fall

DESCRIPTION	REQ. NO.	ACCOUNT CODE	QUANTITY	UNIT PRICE	TOTAL AMOUNT
RELEASE OF FIRE INSURANCE 2010 8/13/10 Release of Funds - Fall	1689	33107-905-5-2390	0.00	.0000	29552.21
PAYMENT APPROVED <u>Grace Ward</u> MATERIALS RECEIVED <u>✓</u> DEPARTMENT HEAD <u>Bar H. H. H.</u> DATE <u>8/13/10</u>					<u>\$10,000⁰⁰</u>
PLEASE NOTE: THE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, PACKING SLIPS, SHIPPING PAPERS AND ALL CORRESPONDENCE. ALL PURCHASES EXEMPT FROM STATE AND FEDERAL EXCISE TAXES.					TOTAL AMOUNT NOT TO EXCEED 29552.21

I hereby certify that the amount required to meet the obligation created by this instrument has been lawfully appropriated for such purpose, is in the treasury or in the process of collection to the credit of the proper fund, free from any previous encumbrances.

Michael Anderson
SAFETY SERVICE DIRECTOR

James H. H.
AUDITOR

AUDITOR

**CITY OF MASSILLON BUILDING DEPARTMENT
INTERNAL CORRESPONDENCE**

To: Auditor's Office
From: Building Department
Date: 8/13/2010
RE: RELEASE OF FUNDS

In reference to the fire damaged structure which is located at 20 Lincoln Way East, Massillon, Ohio 44646:

This structure is owned by Bonnie Fall (DBA Engraver's Gallery).

The total remaining funds on deposit with the City of Massillon is ten thousand dollars (\$10,000.00).

The Building Department is authorizing the final release of funds in the amount of ten thousand dollars (\$10,000.00), be released to Bonnie Fall (DBA Engraver's Gallery), as per Massillon City Ordinance No. 130-1981.



Roger H. Houpt
Chief Building Official

RHH/tgw
c: file



The City of Massillon, Ohio

Francis H. Cicchinelli, Jr., Mayor
330.830.1700

Michael J. Loudiana
Dir. of Public Safety & Service
330.830.1702

Building Department

William L. Kraft, Chief Building Official
330.830.1724

COPY

February 19, 2010

Michael S. and Bonnie S. Fall
32 Lincoln Way East
Massillon, OH 44646

**RE: ENGRAVER'S GALLERY
20 LINCOLN WAY EAST
MASSILLON, OH 44646
FIRE ESCROW ACCOUNT \$65,740.00**

Dear Mr. and Mrs. Fall,

An inspection was conducted to finalize the following permit that remained open. The following permits have been taken out for this address:

- 1.) #2009-155 Design Restoration Contractor
- 2.) #2009-483 Butcher & Son Demolition Contractor
- 3.) #2009-846 RBS General Contracting, LLC

The above permits were found to be compliant and were entered as finalized. Mr. Roseman accompanied me on the site for the final inspection on the work that he did.

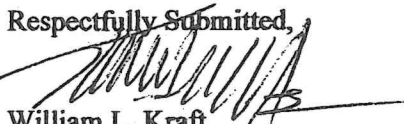
I stated to Mr. Roseman that 1341.23 of the Massillon Codified Ordinance must be complied with. I have completed the paperwork to the Massillon Auditor's office to start the release of the remaining fire funds on file, with the exception of \$10,000.00, which will be held in escrow until all openings in party walls are closed with approved masonry.

You must secure a proper permit and this must be inspected in thirty (30) working days from this notice, which will be April 2, 2010.

Any party adversely affected by this order and the notice of non-compliance set forth may appeal. This would require filing a written appeal with-in ten (10) days with the Massillon Board of Building Appeals, located at 151 Lincoln Way East, Massillon, OH, 44646.

The Massillon Board of Appeals meets on the fourth Thursday of each month at 7:30 p.m. in the council chamber room. Council Chambers are located at One James Duncan Plaza, Massillon, Ohio. If you have any questions, please contact me at the Massillon Building Department, our office hours are 8:30 a.m. to 4:30 p.m.

Respectfully Submitted,


William L. Kraft
Chief Building Official

C: Mayor Francis Cicchinelli, Jr.
Gary Anderson, Second Ward Councilman
Jim Thieret, Massillon Fire Captain

Municipal Government Annex - Administrative Building - 151 Lincoln Way, East, Massillon, OH 44646
Fax 330.830.1782 • www.massillonohio.com • tward@massillonohio.com

1341.20 SIDEWALK SHEDS.

(a) Height. Protective sidewalk sheds shall provide a clear height of not less than eight feet above the sidewalk or walkway.

(b) Construction. The roofs of such sidewalk shed shall be constructed of planks not less than two inches thick or of approved equivalent material. Every such roof shall be capable of safely sustaining a load of 150 pounds per square foot; except that when material is stored thereon, such roofs shall be capable to sustaining a load of at least 300 pounds per square foot.

(c) Size. Every required sidewalk shed shall be of adequate width to protect the pedestrians and, unless otherwise approved by the Building Inspector, shall extend for the full length of the building or other structure being demolished.

(d) Railings. When materials are prepared or work performed on the roof of any such sidewalk shed, the roof shall be enclosed on the exposed sides and ends with tight barricade not less than three feet in height, or with a substantial railing not less than three feet in height with a solid tow board not less than six inches high. (Ord. 46-1989. Passed 3-20-89.)

1341.21 ILLUMINATION OF SIDEWALK SHEDS.

All sidewalks and walkways under sidewalk sheds, or in other locations where customary street illumination is temporarily obstructed, shall be illuminated so that there will be not less than three foot candles at the sidewalk or walkway level at all times. Artificial illumination shall be provided whenever and wherever natural illumination or street light does not provide the intensity specified in this section. (Ord. 46-1989. Passed 3-20-89.)

1341.22 OBSTRUCTION MARKING.

All barricades, fences, sidewalk sheds, equipment, material, debris, pits, excavations or obstructions within the side lines of a street or alley shall be marked, after dark, with flares, red lanterns or red electric light bulbs to warn pedestrians and operators of vehicles of the presence of such obstructions, pits or excavations. (Ord. 46-1989. Passed 3-20-89.)

1341.23 PROTECTION OF PARTY WALLS.

Whenever a building or other structure, or part thereof on one side of a party wall is removed, existing party walls shall be maintained in a safe, weatherproof condition by and at the expense of the person, firm or corporation causing the building or other structure to be removed. Temporary or permanent bracing shall be provided as necessary for maintaining the stability of such party wall or adjoining building, whenever such stability is endangered by the removal of a building or other structure, or part thereof. Open beam holes in party walls exposed by removal of a building or other structure, or part thereof, shall be closed with approved masonry by and at the expense of a person, firm or corporation causing them to be exposed. (Ord. 46-1989. Passed 3-20-89.)



21

20

14

10

28