

THE CITY OF NAPOLEON

BUILDING & ZONING DEPARTMENT

255 W. RIVERVIEW

(419)592-4010

Zoning Variance Permit

Permit Number: ZV2006-7

Page 1 of 1

Printed: 6/1/2006

Property Address: 229 Clinton St. W.

Applicant

Address: Dutchman Construction
11200 Co Rd O
Napoleon, OH 43545

Approval Date: 5/30/2006

Phone: 419-599-2758

Owners

Name: Henry County Historical Society
229 W Clinton St.
Napoleon, OH 43545

Phone: 419-

Contractors

Dutchman Construction
Address: 11200 Co Rd O
Napoleon, OH 43545

Phone 419-599-2758

Fees and Receipts:

Number	Description	Amount
FEE2006-386	Building Permit Fee (Auto)	\$18.00
Total Fees:		\$18.00
RCPT2006-212		\$18.00

Description of work to be done:

HANDICAP RAMP

Applicant signature: _____ Date: _____

CITY OF NAPOLEON GENERAL PERMIT APPLICATION

THIS APPLICATION IS FOR RESIDENTIAL CONSTRUCTION INCLUDING BUILDING, ELECTRICAL, PLUMBING MECHANICAL, DEMOLITIONS, REMODELING.

DATE: 5/30/06 JOB LOCATION: W Clinton & Webster

OWNER: Henry Co Historical PHONE: _____

OWNER ADDRESS: W Clinton St CITY: Nap ZIP: 43545

CONTRACTOR: Dutchmen Construction Co

PHONE #: 419-599-2758 CELL PHONE#: 419-579-0999

CONTRACTOR LICENSED WITH THE CITY OF NAPOLEON?: YES NO:

Is any of the above job going to be subcontracted out? Yes No:

If yes to whom: _____

DESCRIPTION OF WORK TO BE PERFORMED: Handicap Ramp

ESTIMATED COMPLETION DATE: 6-6-06

PLEASE MARK THE TYPE OF WORK YOU WILL BE PERFORMING

- | | |
|-----------------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> A/C ADD ON | <input type="checkbox"/> REMODELING |
| <input type="checkbox"/> BOILER REPLACEMENT | <input type="checkbox"/> ROOFING |
| <input type="checkbox"/> CURBING | <input type="checkbox"/> SEWER REPAIRS** |
| <input type="checkbox"/> DECKS * | <input checked="" type="checkbox"/> SIDEWALK* |
| <input type="checkbox"/> DRIVEWAY* | <input type="checkbox"/> SIDING |
| <input type="checkbox"/> ELECTRICAL SERVICE UPGRADE | <input type="checkbox"/> STORAGE SHED* |
| <input type="checkbox"/> ELECTRICAL SERVICE NEW | <input type="checkbox"/> SWIMMING POOL* |
| <input type="checkbox"/> FENCE* | <input type="checkbox"/> FURNACE REPLACEMENT |
| <input type="checkbox"/> ADDITIONS* | <input type="checkbox"/> TEMP ELECTRIC |
| <input type="checkbox"/> FURNACE NEW | <input type="checkbox"/> WATER TAP (size _____") |
| <input type="checkbox"/> LAWN METER | <input type="checkbox"/> WINDOWS |
| <input type="checkbox"/> PLUMBING | <input type="checkbox"/> ZONING |

*PLEASE INCLUDE A PICTURE SHOWING MEASUREMENTS FROM EXISTING STRUCTURES AND PROPERTY LINES. INDICATING THE TYPE OF WORK YOU WISH TO PERFORM.

** IF WORK REQUIRES GOING INTO THE STREET A STREET BOND IS REQUIRED!

FOR PERMIT COSTS PLEASE FILL OUT REVERSE SIDE

PERMIT COST WORKSHEET

JOB	BASE FEE	TOTAL
SIDING (only) TOTAL SQ _____ X 1.00 +	\$5.00 =	\$ _____
ROOFING (only) TOTAL SQ _____ X 1.00 +	\$5.00 =	\$ _____
WINDOWS (only) # OF WINDOWS ___ X 1.00 +	\$5.00 =	\$ _____
ELECTRICAL # OF CIRCUITS _____ X 3.00 +	\$15.00 =	\$ _____
ELECTRICAL SERVICE UPGRADE	\$15.00 =	\$ _____
PLUMBING (INSIDE) repairs only	\$10.00 =	\$ _____
PLUMBING/SEWER (OUTSIDE)	\$25.00 =	\$ _____
WATER HEATER	\$5.00	\$ _____
SHED UNDER 200 SQ FT	\$ 5.00	\$ _____
FURNACE OR A/C (REPLACEMENT)	\$ 5.00	\$ _____
DEMOLITION (only)	\$30.00	\$ _____
SIDEWALK REPLACEMENT/ NEW	\$25.00	\$ <u>25.00</u>
DRIVEWAY	\$25.00	\$ _____

ALL CONSTRUCTION, ALTERATIONS, REMODELING, SHEDS, DECKS & FENCES NOT LISTED ABOVE IS BASED ON COST OF WORK BEING PERFORMED.

COST OF WORK \$ 4996.00 (SEE CHART) \$ 18.00

0.00	-	250.00	0.00	11,000.00	-	11,999.00	25.00
250.00	-	1,000.00	10.00	12,000.00	-	12,999.00	26.00
1,000.00	-	1,999.00	12.00	13,000.00	-	13,999.00	27.00
2,000.00	-	2,999.00	14.00	14,000.00	-	14,999.00	28.00
3,000.00	-	3,999.00	16.00	15,000.00	-	15,999.00	29.00
4,000.00	-	4,999.00	18.00	16,000.00	-	16,999.00	30.00
5,000.00	-	5,999.00	19.00	17,000.00	-	17,999.00	31.00
6,000.00	-	6,999.00	20.00	18,000.00	-	18,999.00	32.00
7,000.00	-	7,999.00	21.00	19,000.00	-	19,999.00	33.00
8,000.00	-	8,999.00	22.00	20,000.00	-	20,999.00	34.00
9,000.00	-	9,999.00	23.00	21,000.00	-	21,999.00	35.00
10,000.00	-	10,999.00	24.00	22,000.00	-	22,999.00	36.00
				Over 22,999		Please Call	

REVOCABLE RIGHT-OF-WAY PERMIT

City Code Chapter 919

Permit No. _____

Definition. Public right-of-way means the surface and space above and below any real property in which the City has an interest in law or in equity, whether held in fee, or other estate or interest, or as trustee for the public, including but not limited to all public streets and public easements, as those terms are defined herein, sidewalks, treelawns and other property, but only to the extent of the City's right, title, interest or authority to grant a construction permit. (§919.01)

Indemnification. Permit holder expressly undertakes to defend, indemnify and hold the City and its elected and appointed officers, officials, employees, volunteers, agents, representatives and subcontractors harmless from and against any and all damages, losses and expenses, including reasonable attorney's fees and costs of suit or defense, arising out of, resulting from or alleged to arise out of or result from the negligent, careless or wrongful acts, omissions, failures to act or misconduct of the applicant or its affiliates, officers, employees, agents, contractors or subcontractors in proposed construction in the public right-of-way, whether such acts or omissions are authorized, allowed or prohibited by Chapter 919 of the Codified Ordinances of the City of Napoleon, Ohio. This provision survives termination of the permit.

Construction Schedule and OUPS. The permit holder shall submit a written construction schedule to the City ten (10) working days before commencing any construction work in or about the public right-of-ways. The permit holder shall further notify the City and the Ohio Utility Protection Service (OUPS) not less than forty-eight (48) hours in advance of any excavation in the public right-of-ways. The permit holder shall promptly complete all construction activities so as to minimize disruption of the public right-of-ways and other public or private property.

Duty to Install in Compliance. The permit holder shall construct, install, repair, operate and maintain its facilities in the public right-of-ways in accordance with all applicable federal, state and local codes, rules and regulations.

Inspection. All work performed in the public right-of-way during construction shall be subject to the inspection by the Inspector. If so ordered by the Inspector, all work that does not comply with the permit, the approved plans and specifications for the work, or the requirements of this chapter, shall immediately cease and shall be immediately corrected and/or removed by the permit holder.

Protection of Site. At all times during construction, the permit holder or other person acting on its behalf shall use suitable barricades, flags, flagmen, lights, flares and other measures as necessary and in accordance with applicable state and local requirements, including the Ohio Department of Transportation's Uniform Manual of Traffic Control Devices, for the safety of all members of the general public and to prevent injury or damage to any person, vehicle or property by reason of such work in or affecting such public right-of-way or property. The Inspector may issue any additional orders he or she deems appropriate pursuant to this section, and the permit holder shall promptly comply with all such orders. At all times the work shall be done so as to cause the least inconvenience to property owners and the general public.

Least Disruption Technology. All construction work performed in the public right-of-way shall be performed in the manner resulting in the least amount of damage and disruption of the public right-of-way. (a) Underground Facilities. (1) Whenever any existing electric utilities, cable facilities, telecommunications facilities or other similar Facilities are located underground in the public right-of-way of the City, the permit holder must, when practical, as determined by jointly by the City Engineer, also locate its facilities underground, permit holder utilizing best efforts to do so. (2) Unless otherwise authorized by the Inspector for good cause, construction of underground facilities shall utilize trenchless technology, including, but not limited to, horizontal drilling, directional boring, and microtunneling, if technically and/or technologically feasible. In addition, all cable, wire or fiber optic cable facilities to be installed underground shall be installed in conduit, without using direct bury techniques. (b) Overhead Facilities. In the event

underground location of its facilities is not practical, the permit holder shall install its facilities only on existing utility poles. In the event it is not practical to do so, as determined by the City Engineer after consultation with the City Electrical Superintendent, permit holder utilizing best efforts to do so, then new utility poles may be erected and used with the City's permission. Nothing in this provision shall be construed as eliminating any requirement of permit holder's to obtain facility attachment agreements with public or private owners of poles and/or infrastructure and pay any fees associated therewith. (c) Excess Capacity. To reduce excavation in the public right-of-way, it is the City's goal to encourage permit holders to share occupancy of underground conduit as well as to construct, whenever possible, excess conduit capacity for occupancy of future facilities in the public right-of-way. Therefore, if a permit holder is constructing underground conduit in the public right-of-way for its own facilities, and the City reasonably determines such construction is in an area in which other providers would likely construct facilities in the future, the City may require the permit holder to construct extra conduit capacity in the public right-of-way, provided the permit holder shall be reimbursed for the use of the excess capacity by any other permit holder that uses the excess capacity. The permit holder may charge a reasonable market lease rate for occupancy of the additional conduit space as reimbursement. (d) City Owned Conduit. If the City owns or leases conduit in the path of a permit holders proposed construction of facilities, and provided it is technologically feasible for the permit holders facilities to occupy the conduit owned or leased by the City, the permit holder shall be required to occupy the conduit owned or leased by the City in order to reduce the necessity to excavate the public right-of-way. The permit holder shall pay to the City a reasonable fee for such occupancy. The City and the permit holder may agree to amortize the fee through annual payments to the City.

Restoration in General. (a) The permit holder shall, after the construction work is completed and at its own expense, promptly remove any obstructions from, and restore the public right-of-ways or other City or private property, and provide property improvements, fixtures, structures and facilities damaged during the course of construction within ten (10) days, or longer at the City's discretion, to as good a condition as existed before the work was undertaken, unless otherwise directed by the City. (b) If weather or other conditions do not permit the complete restoration required by this Section, the permit holder shall temporarily restore the affected public right-of-ways or property. Such temporary restoration shall be at the permit holders sole expense and the permit holder shall promptly undertake and complete the required permanent restoration when the weather or other conditions no longer prevent such permanent restoration.

Landscape Restoration. (a) Subject to paragraph (b) below, all authorized trees, landscaping and grounds removed, damaged or disturbed as a result of the Construction must be replaced or restored as nearly as may be practicable, to the condition existing prior to performance of work. (b) All restoration work within the public right-of-ways shall be done in accordance with landscape plans as provided by the permit holder and as approved by the City Engineer.

Relocation and Removal Facilities. Within thirty (30) days following written notice from the City, the permit holder shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any of its facilities in the public right-of-ways whenever the City shall have determined that such removal, relocation, change or alteration is reasonably necessary for: (a) The Construction, reconstruction, repair, maintenance or installation of any City or other public improvement in or upon the public right-of-ways. (b) The operations of the City or other governmental entity in or upon the public rights-of-way. (c) Whenever any existing electric utilities, cable facilities, telecommunications facilities or other similar facilities are located or relocated underground in the public right-of-ways of the City, the permit holder shall relocate its facilities underground within a reasonable period of time as determined by the City. Absent extraordinary circumstances or undue hardship, as determined by the City, such relocation shall be made concurrently to minimize the disruption of the public right-of-ways.

Assignments and Transfers of Permit. Ownership or working or ultimate control of this Permit may not be, directly or indirectly, transferred, assigned or disposed of by sale, lease, merger, consolidation or other act of the permit holder, by operation of law or otherwise, without consent of the City. Consent of the City shall not be required if ownership or control of the permit is transferred to any entity controlling, controlled by or under common control with the permit holder;

provided that: (a) The City is notified of the proposed transfer on or before the date of transfer; and, (b) At the time of such notification, the permit holder and the transferee shall certify to the City that the transferee: (1) Is licensed to do business in Ohio; and, (2) Shall comply with the conditions of the permit including the insurance and construction and performance bond requirements.

Curb Cutting, Inspection Fees. No person shall cut any curb on any of the streets or highways within the City without first having secured a permit to do so. The permit will be issued by the City Engineering Department upon the condition that permit holder cut or reinstall said curb at permit holder's expense, whichever is applicable as determined by the City Engineer, to City specifications. In addition to any other fees, an inspection fee of one dollar (\$1.00) per lineal foot shall be charged for the cutting of any curbs.

Appeals. (a) Any permit holder or applicant for a permit under this chapter has thirty (30) days of receipt of any decision rendered by the City Engineer or Inspector with respect to this chapter to appeal such decision. Such appeal shall be timely filed with the City Manager for review and final determination. The City Manager shall review the appeal and shall issue its determination no later than ten (10) days after receipt of the appeal. Such appeal shall be limited in scope as to whether or not the City Engineer or Inspector abused his or her discretion or was arbitrary or capricious in his or her decision. Such hearing shall be recorded with sworn testimony. (b) The decision of the City Engineer or Inspector shall stand pending the decision of the City Manager; further, the appeal process does not bar the City Engineer or Inspector to cause to be removed any obstruction from the right-of-way pending the decision of the City Manager when such action is deemed immediately necessary by such City Engineer or Inspector to preserve the health, safety or welfare of the public. (c) The appeal process as provided for in this chapter does not bar the filing of criminal charges under this chapter, nor is it applicable thereto.


Penalty. A violation of any of the provisions of Chapter 919 of the Codified Code of Napoleon, Ohio shall constitute a misdemeanor of the minor degree. Each day a violation continues shall be considered a separate offense.

Duration: This permit expires when the reason for the issuance of the permit is satisfied; or, on the date of 10 25 2005; or, when otherwise revoked by the City in writing, whichever comes first.

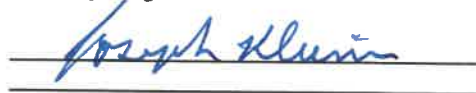
(Application dated _____ Incorporated into this permit by reference thereto)

Accept Terms and Conditions:

By:



By: City Engineer



Permit Acceptance

Permit Issued To: Midwest Contracting

on this 10 day of 19, 05.

CHAPTER 3

USE AND OCCUPANCY CLASSIFICATION

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall control the classification of all buildings and structures as to use and occupancy.

SECTION 302 CLASSIFICATION

302.1 General. Structures or portions of structures shall be classified with respect to occupancy in one or more of the groups listed below. A room or space that is intended to be occupied at different times for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied. Structures with multiple occupancies or uses shall comply with Section 508. Where a structure is proposed for a purpose that is not specifically provided for in this code, such structure shall be classified in the group that the occupancy most nearly resembles, according to the fire safety and relative hazard involved.

1. Assembly (see Section 303): Groups A-1, A-2, A-3, A-4 and A-5
2. Business (see Section 304): Group B
3. Educational (see Section 305): Group E
4. Factory and Industrial (see Section 306): Groups F-1 and F-2
5. High Hazard (see Section 307): Groups H-1, H-2, H-3, H-4 and H-5
6. Institutional (see Section 308): Groups I-1, I-2, I-3 and I-4
7. Mercantile (see Section 309): Group M
8. Residential (see Section 310): Groups R-1, R-2, R-3 and R-4
9. Storage (see Section 311): Groups S-1 and S-2
10. Utility and Miscellaneous (see Section 312): Group U

SECTION 303 ASSEMBLY GROUP A

303.1 Assembly Group A. Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption; or awaiting transportation.

Exceptions:

1. A building used for assembly purposes with an occupant load of less than 50 persons shall be classified as a Group B occupancy.
2. A room or space used for assembly purposes with an occupant load of less than 50 persons and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.
3. A room or space used for assembly purposes that is less than 750 square feet (70 m²) in area and is accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.

Assembly occupancies shall include the following:

A-1 Assembly uses, usually with fixed seating, intended for the production and viewing of the performing arts or motion pictures including, but not limited to:

- Motion picture theaters
- Symphony and concert halls
- Television and radio studios admitting an audience
- Theaters

A-2 Assembly uses intended for food and/or drink consumption including, but not limited to:

- Banquet halls
- Night clubs
- Restaurants
- Taverns and bars

A-3 Assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A including, but not limited to:

- Amusement arcades
- Art galleries
- Bowling alleys
- Places of religious worship
- Community halls
- Courtrooms
- Dance halls (not including food or drink consumption)
- Exhibition halls
- Funeral parlors
- Gymnasiums (without spectator seating)
- Indoor swimming pools (without spectator seating)
- Indoor tennis courts (without spectator seating)
- Lecture halls
- Libraries
- Museums
- Waiting areas in transportation terminals
- Pool and billiard parlors

A-4 Assembly uses intended for viewing of indoor sporting events and activities with spectator seating including, but not limited to:

- Arenas
- Skating rinks
- Swimming pools
- Tennis courts

A-5 Assembly uses intended for participation in or viewing outdoor activities including, but not limited to:

- Amusement park structures
- Bleachers

