

Ordinance 07 - 25

By: Sam Marcellino

An Ordinance to Create Chapter 1473, Maintenance of Elevators, requiring landlords who rent residential units with access to an operational passenger elevator to keep the elevator maintained and operational for the duration of the rental term.

WHEREAS, the City of Bexley is committed to ensuring the health, safety, and welfare of its residents, including tenants who rely on passenger elevators for accessibility and mobility within rental properties; and

WHEREAS, a non-functioning or poorly maintained elevator can pose a significant hardship to tenants, particularly those with disabilities, elderly individuals, and families with young children and create unsafe conditions for residents and visitors; and

WHEREAS, it is in the public interest to require landlords to maintain passenger elevators in proper working condition to ensure tenant safety and accessibility;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1.

That Chapter 1473. Maintenance of Elevators is hereby created as follows:

**Chapter 1473
Maintenance of Elevators**

1473.01 DEFINITIONS.

For the purposes of this Ordinance, the following definitions shall apply:

- (a) "Landlord" means any person, firm, corporation, or other entity that leases or rents a residential unit to a tenant within the City of Bexley.
- (b) "Passenger Elevator" means an elevator designed to carry persons between floors of a building and intended for use by tenants and their guests.
- (c) "Operational" means in proper working condition, compliant with all applicable safety codes, and accessible for use by tenants during the term of their lease.
- (d) "Rental Term" means the duration of the lease agreement between a landlord and a tenant.

1473.02 REQUIREMENT TO MAINTAIN PASSENGER ELEVATORS.

- (a) Any landlord renting a residential unit within a building that provides access to a passenger elevator shall ensure that the elevator remains operational for the duration of the tenant’s rental term.
- (b) Landlords shall conduct regular maintenance and safety inspections of passenger elevators in accordance with local, state, and federal laws, including but not limited to the Ohio Building Code and the regulations of the Ohio Department of Commerce, Division of Industrial Compliance.
- (c) In the event of an elevator malfunction, the landlord must initiate repairs within 24 hours of becoming aware of the issue and make reasonable efforts to restore functionality as quickly as practicable.

1473.03. NOTICE TO TENANTS.

- (a) If an elevator becomes non-operational, the landlord must provide written notice to all tenants of units with access to a common area serviced by the elevator within 24 hours, including an estimated timeline for repairs and alternative accessibility accommodations if applicable.
- (b) Landlords must maintain and provide tenants with contact information for reporting elevator malfunctions and concerns.

1473.99. ENFORCEMENT, PENALTIES, AND EXCEPTIONS

- (a) Enforcement and Penalties
 - (1) The City of Bexley’s Building Department shall be responsible for enforcement of this Ordinance.
 - (2) Penalties shall be applied in accordance with provisions of Chapter 1430.
 - (3) Tenants residing in a building where an elevator remains inoperable for more than 7 consecutive days may seek rent abatement or termination of the lease without penalty.
 - (4) The City may take further legal action against landlords who fail to comply with this Ordinance, including but not limited to injunctions and administrative penalties.
- (b) Exceptions
 - (1) A landlord shall not be deemed in violation of this Ordinance if the elevator outage is due to circumstances beyond the landlord’s reasonable control, including natural disasters, government-mandated shutdowns, or other unforeseeable events, provided that the landlord makes diligent efforts to restore elevator functionality as soon as reasonably practicable.

Section 2.

That this Ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Monique Lampke, President of Council

Attest: _____
Matt McPeek, Clerk of Council

Approved: _____, 2025

Ben Kessler, Mayor

First Reading: February 25, 2025

Second Reading:

Third Reading: