VILLAGE OF BUCKEYE LAKE

ORDINANCE NUMBER 2018-12

AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE VILLAGE OF BUCKEYE LAKE FOR ENFORCEMENT OF THE OHIO BUILDING CODE WITH THE CONDITION THAT THE LICKING COUNTY BUILDING CODE ENFORCEMENT DEPARTMENT EXERCISE ENFORCEMENT AUTHORITY AND ACCEPT AND APPROVE PLANS AND SPECIFICATIONS, AND MAKE INSPECTIONS, AND AUTHORIZING AN AGREEMENT FOR SUCH ENFORCEMENT BETWEEN THE VILLAGE OF BUCKEYE LAKE, HEREINAFTER REFERRED TO AS THE VILLAGE, AND LICKING COUNTY, HEREINAFTER REFERRED TO AS THE COUNTY.

WHEREAS, the Village desires to enforce the Ohio Building Code for the purpose of providing uniform standards and requirements for the erection, construction, repair, alteration, and maintenance of buildings specified in section 3781.06 of the Revised Code of Ohio; and

WHEREAS, the Village seeks to obtain the authority for enforcement of the provisions of the Ohio Building Code through certification by the Ohio Board of Building Standards pursuant to Section 3781.10(E) of the Revised Code, with the condition that the Licking County Building Code Enforcement Department exercise the enforcement authority and accept and approve plans and specifications, and make inspections in accordance with the Ohio Building Code; and,

WHEREAS, the said Board of Building Standards has certified the Licking County Building Code Enforcement Department to exercise enforcement authority in accordance with the Ohio Building Code, effective December 11, 2009, as set forth in said Board's certification rule; and

WHEREAS, it is necessary in accordance with law to administer and enforce the Ohio Building Code within the limits of the Village; and

WHEREAS, it is necessary that an agreement be entered into between the Village and the County for the enforcement of the Ohio Building Code within the limits of said Village;

THEREFORE, be it ordained by the legislative authority of the Village of Buckeye Lake, Licking, County, Ohio, three-fourths of all members elected thereto concurring, that:

SECTION I: That Ohio Administrative Code 4101:1 – Ohio Building Code as promulgated by the Ohio Board of Building Standards, shall apply and be enforced within the Village,

SECTION II: That this ordinance shall be in full force and effect from and after the earliest period permitted by law following promulgation of the Ohio Building Code by the Board of Building Standards through the certification process, adoption and effective date of certification issued by the Ohio Board of Building Standards.

SECTION III: The Mayor of the Village is hereby authorized and directed to sign and submit an application to the Ohio Board of Building Standards requesting said Board to certify the Village for enforcement of the Ohio Building Code with the condition that the Licking County Building Code Enforcement Department exercise the enforcement authority as necessary in accordance with the Ohio

Building Code within the limits of said Village and to enter into an agreement with the County for such purpose.

SECTION IV: The Village through its Mayor and its Service Director is hereby authorized and directed to enter into an agreement with the County for the enforcement of the Ohio Building Code within the limits of said Village whereby the Licking County Building Code Enforcement Department will exercise all enforcement authority and accept and approve plans and specifications and make inspections necessary within said Village in accordance with the provisions of the Ohio Building Code.

SECTION V: The terms of the said agreement shall grant to the County full authority to do all things necessary to administer and enforce the Ohio Building Code within the limits of the Village and in consideration therefore to allow the County to retain all permit and inspection fees authorized by the State of Ohio for such purposes.

SECTION VI: The Legislature Authority of said Village further agrees to hold the County harmless for all claims or causes of action of every kind and nature arising from the acts of the County, its agents, employees, and representatives in the administration and enforcement of said codes.

SECTION VII: This Ordinance is hereby declared to be an emergency measure, the immediate passage of which is necessary for the public health, safety and welfare and for the further reason that said Code must be enforced and administered according to law and particularly pursuant to the requirements of Chapter 3781 of the Revised Code of Ohio; wherefore, this Ordinance shall take effect and be in force immediately upon its passage and effective date of certification issued by the Ohio Board of Building Standards.

ADOPTED this 14th day of May, 2018

ATTEST: Valerie L Hans
Valerie L. Hans, Clerk of Council

Catherine O. Zwissler
Catherine Zwissler, President of Council

Date filed with Mayor: 5-14, 2018

Date approved by Mayor: 5-14, 2018

Peggy A. Wells
Peggy A. Wells, Mayor

Approved as to form:
Dan Hayes, Solicitor

I, Valerie L. Hans, Clerk of the Village do hereby certify this to be a true and correct copy of Ordinance Number 2018-12 duly passed by the Legislative Authority of the Village on the date of 5-14, 2018.

Valerie L Hans
CLERK

DRAFT 3/5/18