

RECORD OF ORDINANCES

Ordinance No. 2015-1

February 23, 2015

CITY OF BELLBROOK, OHIO

ORDINANCE NO. 2015-1

AN ORDINANCE AMENDING CHAPTER 1610 OF THE BELLBROOK MUNICIPAL CODE ESTABLISHING THE FIRE CODE ENFORCED BY THE BELLBROOK FIRE DEPARTMENT.

WHEREAS, the City of Bellbrook has enacted Chapter 1610 of the Bellbrook Municipal Code which is entitled “Bellbrook Fire Department Unified Fire Code”; and

WHEREAS, the purpose of Chapter 1610 is to protect the peace, health, safety, and welfare of the citizens of Bellbrook; and

WHEREAS, Chapter 1610, “Bellbrook Fire Department Unified Fire Code,” defines the edition of the Fire Code that has been adopted; and

WHEREAS, the City of Bellbrook desires to update the Fire Code references in the Municipal Code.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. That the following amendment to Chapter 1610 of the Bellbrook Municipal Code be approved with deletions shown by brackets and strikethrough and additions shown by italics and underlined:

§ 1610.01 “1994 Edition Adopted; Purpose” is hereby amended as follows:

Pursuant to Section 5.07 of the City Charter, there is hereby adopted and incorporated by reference as if set out at length herein, for the purpose of prescribing regulations for the safeguarding, to a reasonable degree, of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices and from conditions hazardous to life or property in the use of occupancy of buildings or premises, *the Ohio Fire Code as promulgated in Chapter 1301:7 of the Ohio Administrative Code*~~[that certain Code known as the 1994 edition of the Unified Fire Code, consisting of the BOCA National Fire Prevention Code (1993 edition), as published by Building Officials and Code Administrators International, Inc., and the amendments contained therein from the Southwest Fire Safety Council Standards (1994)].~~

§ 1610.02 “Interpretation” is hereby amended as follows:

The [~~Unified~~] Fire Code, as adopted in Section 1610.01, shall not be construed to affect the responsibility of any party owning, operating or installing any equipment for damage to persons or property caused by any defect therein, nor shall the City be held as assuming any such liability by

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reason of any inspection or re inspection authorized herein or any permit issued as herein provided, or by reason of the approval or disapproval of any equipment authorized herein.

§ 1610.99 “Penalty; Equitable Remedies” is hereby amended as follows:

- (a) Whoever violates any of the provisions of this Fire Prevention Code, including the [Unified] Fire Code adopted in Section 1610.01, or fails to comply therewith, or violates or fails to comply with any order made thereunder, or builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, for which no penalty is otherwise provided and for which no appeal has been taken, or fails to comply with such provision as affirmed or modified by the Code Official of the City or by a court of competent jurisdiction within the time fixed therein, is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both, for each offense. When not otherwise specified, a separate offense shall be deemed committed each day during or on which a violation occurs or continues.
- (b) The imposition of any one penalty for any violation shall not excuse the violation or permit it to continue, and all persons who violate the [Unified] Fire Code shall be required to correct or remedy such violations or defects within a reasonable time period.
- (c) The application of the penalty provided herein shall not be held to preclude other additional remedies as provided by law.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this ____ day of _____, 2015.

Robert L. Baird, Mayor

Carrie C. Smith, Clerk of Council

APPROVED AS TO FORM:
Patricia N. Campbell, Municipal Attorney