

ORDINANCE NO. 12-06

AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE VILLAGE OF SPENCER FOR ENFORCEMENT OF THE RESIDENTIAL CODE OF OHIO WITH THE CONDITION THAT THE MEDINA COUNTY BUILDING 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 SPENCER AND MEDINA COUNTY AND DECLARING AN EMERGENCY

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

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

WHEREAS, the said Board of Building Standards is expected to certify the Medina County Building Department to exercise enforcement authority in accordance with the Residential Code of Ohio, effective May 27, 2007, as set forth in said Board's certification rule; and

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Spencer, Ohio, three-fourths (3/4) of its members concurring herein as follows:

SECTION I: That Ohio Administrative Code 4101:8 - Residential Code of Ohio as promulgated by the Ohio Board of

Building Standards, shall apply and be enforced within the Village of Spencer, Ohio.

SECTION II: That this Ordinance shall be in full force and effect from and after the earliest period permitted by law through the certification process by the Ohio Board of Building Standards.

SECTION III: The Mayor of the Village of Spencer 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 of Spencer for enforcement of the Residential Code of Ohio with the condition that the Medina County Building Department exercise the enforcement authority as necessary in accordance with the Residential Code of Ohio within the limits of said Village and to enter into an agreement with Medina County for such purpose.

SECTION IV: The Village of Spencer, through its Mayor and Village Fiscal Officer, is hereby authorized and directed to enter into an agreement with Medina County for enforcement of the Residential Code of Ohio within the limits of said Village, whereby the Medina County Building 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 Residential Code of Ohio.

SECTION V: The terms of said agreement shall grant to the County full authority to do all things necessary to administer and enforce the Residential Code of Ohio within the limits of the Village of Spencer 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 Council of the Village of Spencer 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 of the Village of Spencer residents, and to allow for local enforcement of the requirements of § 3781 of the Ohio Revised Code.

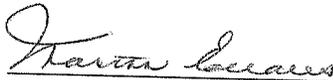
This Ordinance shall be in full force and effect from and after its passage.

PASSED: December 27, 2006



TOMMY RAMEY, Mayor

ATTEST:



MARTHA EVANS
Village Fiscal Officer

VILLAGE FISCAL OFFICER'S CERTIFICATE

The undersigned Spencer Village Fiscal Officer does hereby certify that the foregoing is a true and correct copy of Ordinance No. 13-06 duly passed by the Council of the Village of Spencer, Ohio, at regular session on December 27, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 27th day of December, 2007, at Spencer, Ohio.



MARTHA EVANS
Village Fiscal Officer