

ORDINANCE NO. 12-07

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT FOR ENFORCEMENT
OF THE OHIO MANUFACTURED HOMES
INSTALLATION STANDARDS BETWEEN THE
VILLAGE OF SPENCER AND MEDINA COUNTY**

WHEREAS, the Ohio Manufactured Homes Commission is charged to establish uniform standards that govern the installation of manufactured housing by § 4781.04(A)(1) of the Ohio Revised Code; and

WHEREAS, the Ohio Manufactured Homes Commission has established these rules at § 4781-6 & 7 of the Ohio Administrative Code; and

WHEREAS, the installers of manufactured homes must obtain plan review and inspection approval showing compliance with the above rules from the Ohio manufactured Homes Commission, private third parties contracted by the Commission, or a government certified by the Commission; and

WHEREAS, the costs of obtaining and maintaining Ohio Manufactured Homes Commission certifications of Village of Spencer employees is not justified by the number of manufactured home installations expected; and

WHEREAS, inter-governmental agreements authorized by Ordinance 18-79 passed November 28, 1979, and Ordinance 12-06 passed December 27, 2006, arranges for Medina County to enforce the Ohio Building Code, Ohio Mechanical Code, and Residential Code of Ohio, §§ 4101:1, 4101:2, & 4101:8 of the Administrative Code of Ohio on behalf of the Village; and

WHEREAS, the said Ohio Manufactured Homes Commission is expected to certify the Medina County Building Department pursuant to § 4781.07 of the Ohio Revised Code and 4781-7-04 of the Ohio Administrative Code to exercise enforcement authority;

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: 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 the enforcement of the Ohio Manufactured Homes Commission rules 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 Ohio Manufactured Homes Commission rules. A copy of said agreement is attached hereto and incorporated herein as "Exhibit A."

SECTION II: The terms of said agreement shall grant to the County full authority to do all things necessary to administer and enforce the Ohio Manufactured Homes Commission rules 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 and Medina County for such purposes.

SECTION III: 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 rules.

SECTION VI: This Ordinance is hereby declared to be an emergency measure necessary for the protection of the public health, peace, safety, and welfare of the Village of Spencer and for the particular reason that it is necessary to enter into an agreement with Medina County as soon as reasonably possible so that construction standards and enforcement services may be utilized as soon as possible, and that this Ordinance shall be in full force and effect from and after its passage.

PASSED: July 18, 2007

TOMMY RAMEY

ATTEST:

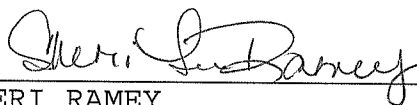


SHERI RAMEY, Village Fiscal Officer

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. 12-07 duly passed by the Council of the Village of Spencer, Ohio, at regular session on July 18, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 18th day of July, 2007, at Spencer, Ohio.



SHERI RAMEY
Village Fiscal Officer