

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2004-18

Passed JANUARY 4, 2005

**AN ORDINANCE AMENDING THE BUILDING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF BROOKVILLE TO UPDATE THE OHIO BUILDING CODE.**

**WHEREAS**, the City of Brookville has adopted by reference the Ohio Basic Building Code (OBBC); and

**WHEREAS**, subsequent revisions have changed the title to the Ohio Building Code (OBC); and

**WHEREAS**, the Council of the City of Brookville hereby enacts this Ordinance to adopt the Ohio Building Code by reference.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:**

**SECTION I:** The Council hereby establishes Chapter 1307 of the Code of Ordinances of the City of Brookville to incorporate by reference the Ohio Building Code, and adopts the following sections of Chapter 1307:

**1307.01 2002 EDITION ADOPTED.**

Pursuant to Section 4.12 of the Charter of the City of Brookville, there is hereby adopted by reference by and for the City of Brookville the OHIO BUILDING CODE (OBC) being particularly the 2002 edition thereof, as adopted by the Ohio Board of Building Standards, Department of Commerce and as published in Division 4101:1 of the Ohio Administrative Code (OAC), save and except such portions thereof as may be herein amended or deleted.

**1307.02 PURPOSE.**

The purpose of the OBC as adopted in Section 1307.01 is to provide the uniform minimum standards and requirements for the erection, construction, repair, alteration and maintenance of buildings including construction of industrialized units, such standards relating to the conservation of energy, safety and sanitation of buildings for their intended use and occupancy.

**1307.03 APPLICATION.**

- (a) The provisions of the OBC shall apply to construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location maintenance, removal and demolition of every building and structures.
- (b) No buildings or its equipment or accessories, to which the rules of the Ohio Board of Building Standards (Board) apply, shall be erected, constructed, or installed, except in conformity with the rules of the Board, except as listed in exempted items in 4101.1:105.2.

**1307.04 CONFLICT OF LAWS.**

Whenever a provision of the OBC, as adopted in Section 1307.01, conflicts with a provision of the Ohio Fire Code or any other order, standard or rule of the Ohio Department of Commerce, State Fire Marshall, the provisions of the OBC shall control, except that the rules adopted and orders issued by the Fire Marshall pursuant to R.C. 3743 shall prevail in the event of a conflict.

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1307.99 PENALTY.

Whoever violates or fails to comply with any provisions of the OBC is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than six months, or both, for each offense. Unless otherwise provided, a separate offense shall be deemed committed each day during or in which a violation or noncompliance occurs or continues.


**SECTION II:** This Ordinance shall repeal any Ordinances, parts of Ordinances, Resolutions, and parts of Resolutions in conflict therewith.

**SECTION III:** This Ordinance shall take effect thirty (30) days after passage of the Ordinance as provided by the Charter of the City of Brookville.

PASSED this 4TH day of JANUARY, 2005

ATTEST:

  
Sonja M. Keaton, Clerk

  
David E. Seagraves, Mayor

## CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2004-18, passed by the Council of the City of Brookville, Ohio, on the 4TH day of JANUARY, 2005.

  
Sonja M. Keaton, Clerk

## CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2004-18 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 5TH day of JANUARY, 2005 to the 5TH day of FEBRUARY, 2005, both days inclusive.

  
Sonja M. Keaton, Clerk