

RECORD OF ORDINANCES

Dayton Legal Blank Co. 10114

Ordinance No. 1984-11

Passed November 20, 1984

AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE MUNICIPALITY OF BROOKVILLE, OHIO TO EXERCISE ENFORCEMENT AUTHORITY IN ACCORDANCE WITH THE OHIO BASIC BUILDING CODE WITH THE CONDITION THAT THE MONTGOMERY COUNTY BUILDING DEPARTMENT PERFORM ALL INSPECTIONS, AND AUTHORIZING AN AGREEMENT FOR SUCH ENFORCEMENT BETWEEN THE MUNICIPALITY OF BROOKVILLE AND MONTGOMERY COUNTY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Building Standards of the State of Ohio has formulated and adopted the Ohio Basic Building Code containing regulations governing the erection, construction, repair, alteration, and maintenance of all buildings or classes of buildings specified in Section 3781.06 of the Revised Code of Ohio; and

WHEREAS, the said Board of Building Standards has now certified the Montgomery County Building Department to exercise enforcement authority in accordance with the Ohio Basic Building Code, effective July 1, 1979, as set forth in said Board's certification dated March 17, 1960; and

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

WHEREAS, it is necessary for the Municipality of Brookville to request the Ohio Board of Building Standards to certify the Municipality of Brookville to enforce the Ohio Basic Building Code with the condition that the Montgomery County Building Department perform all inspections and exercise the enforcement authority in accordance with the Ohio Basic Building Code; and

WHEREAS, it is necessary that an agreement be entered into between the Municipality of Brookville and Montgomery County for the enforcement of the Ohio Basic Building Code and to perform all inspections and exercise enforcement authority in accordance with the Ohio Basic Building Code within the limits of said Municipality;

THEREFORE, BE IT ORDAINED by the legislative authority of the Municipality of Brookville, Montgomery County, Ohio, three-fourths of all members elected thereto concurring, that:

SECTION I.

The Mayor of the Municipality of Brookville is hereby authorized and directed to sign and submit an application to the Ohio Board of Building Standards requesting said Board to certify the Municipality of Brookville to enforce the Ohio Basic Building Code with the condition that the Montgomery County Building Department perform all inspections and exercise enforcement authority as necessary in accordance with the Ohio Basic Building Code within the limits of said Municipality, and to enter into an agreement with Montgomery County for such purpose.

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SECTION II.

The Municipality of Brookville through its Mayor and its Clerk is hereby authorized and directed to enter into an agreement with Montgomery County for the enforcement of the Ohio Basic Building Code within the limits of said Municipality, whereby the Montgomery County Building Department will exercise all enforcement authority and accept and approve plans and specifications and make inspections necessary within said Municipality in accordance with the provisions of the Ohio Basic Building Code pursuant to rule 4101:2-1-03 of the Administrative Code, except "Plumbing", Chapter 4101:2-51 of the Administrative Code (plumbing - Montgomery County Board of Health).

SECTION III.

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

SECTION IV.

The Legislature Authority of the said Municipality of Brookville 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 Code.


SECTION V.

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.

PASSED this 20th day of November, 1984.

ATTEST:


E. Eugene Roeser, Clerk


George E. Brown, Mayor

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CERTIFICATE

I, E. Eugene Roeser, Clerk of the Municipality of Brookville Council do hereby certify that the foregoing is a true and correct copy of Ordinance No. 1984-11 adopted by the Brookville Municipal Council on the 20th day of November, 1984.


E. Eugene Roeser, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1984-11 was posted at the Municipal Building, U. S. Post Office and the Brookville National Bank, Brookville, Ohio on the 23rd day of November, 1984 to the 22nd day of December, 1984 both days inclusive.


E. Eugene Roeser, Clerk