

**ORDINANCE NO. 071-17**

**AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE CITY OF NAPOLEON, OHIO FOR ENFORCEMENT OF THE RESIDENTIAL CODE OF OHIO WITH THE CONDITION THAT THE WOOD COUNTY, OHIO RESIDENTIAL BUILDING DEPARTMENT EXERCISE ENFORCEMENT AUTHORITY AND ACCEPT AND APPROVE PLANS AND SPECIFICATIONS, AND MAKE INSPECTIONS, AND AUTHORIZING AN AGREEMENT FOR SUCH ENFORCEMENT BETWEEN THE CITY OF NAPOLEON, OHIO AND WOOD COUNTY, OHIO; AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Napoleon, 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 Section 3781.06 of the Ohio Revised Code; and,

**WHEREAS**, the City of Napoleon, 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 Section 3781.10(E) of the Ohio Revised Code, with the condition that the Wood County, Ohio Residential 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 has certified the Wood County, Ohio Building Department to exercise enforcement authority in accordance with the Residential Code of Ohio, effective upon the passage of this Ordinance, as set forth in said Board's certification rule; and,

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

**WHEREAS**, it is necessary that an agreement be entered into between the City of Napoleon, Ohio and Wood County, Ohio for the enforcement of the Residential Code of Ohio within the limits of said City of Napoleon, Ohio; **Now Therefore**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. 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 City of Napoleon, Ohio.

Section 2. That, this Ordinance shall be in full force and effect from and after the earliest period permitted by law following promulgated of the Residential Code of Ohio by the Board of Building Standards through the certification process, adoption, and effective date of certification issued by the Ohio Board of Building Standards.

Section 3. That, the City Manager of the City of Napoleon, Ohio is hereby authorized and directed to sign and submit an application to the Ohio Board of Building

Standards requesting said Board to certify the City of Napoleon, Ohio for enforcement of the Residential Code of Ohio with the condition that the Wood County, Ohio Residential Building Department exercise the enforcement authority as necessary in accordance with the Residential Code of Ohio within the limits of said City of Napoleon, Ohio, and to enter into an agreement with the Wood County, Ohio Residential Building Department for such purpose.

Section 4. The City of Napoleon, Ohio through its City Manager is hereby authorized and directed to enter into an agreement with said Wood County, Ohio Residential Building Department for the enforcement of the Residential Code of Ohio within the limits of said City of Napoleon, Ohio whereby the Wood County Residential Building Department will exercise all enforcement authority and accept and approve plans and specifications and make inspections necessary within said City of Napoleon, Ohio in accordance with the provisions of the Residential Code of Ohio.

Section 5. That, the terms of said agreement shall grant to the Wood County, Ohio Residential Building Department full authority to do all things necessary to administer and enforce the Residential Code of Ohio within the limits of the City of Napoleon, Ohio and in consideration therefore to allow the Wood County, Ohio Residential Building Department to retain all permit and inspection fees authorized by the State of Ohio for such purposes.

Section 6. That, the Legislature Authority of said City of Napoleon, Ohio further agrees to hold the Wood County, Ohio Residential Building Department harmless for all claims or causes of action of every kind and nature arising from the acts of the Wood County, Ohio Residential Building Department, its agents, employees, and representatives in the administration and enforcement of said codes.

Section 7. That, it is found and determined that all formal action of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.

Section 8. That, unless otherwise stated, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

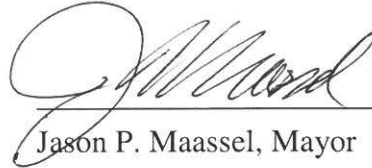
Section 9. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for the timely creation of said necessary Building Department; moreover, this must timely take effect to meet the intent of the law; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: November 6, 2017



Travis B. Sheaffer, Council President

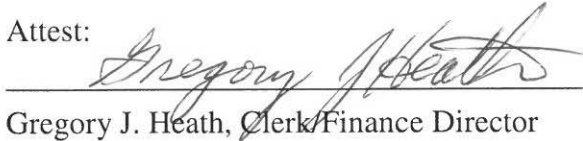
Approved: November 6, 2017



Jason P. Maassel, Mayor

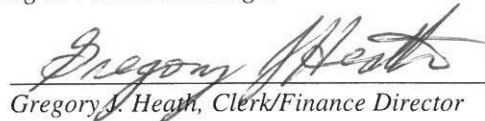
VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:



Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 071-17 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 13th day of November, 2017; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.



Gregory J. Heath, Clerk/Finance Director

#### CERTIFICATION

I, Gregory J. Heath, Clerk/Finance Director for the City of Napoleon, Ohio, do hereby certify that this document is a true and correct copy of Ordinance No. 071-17 passed November 6, 2017.



Gregory J. Heath, Finance Director/Clerk of Council

11-07-2017  
Date