

**Ordinance No. 9-19**

**AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE VILLAGE OF PLAIN CITY, OHIO, TO EXERCISE ENFORCEMENT AUTHORITY, SUCH ENFORCEMENT TO BE IN ACCORDANCE WITH THE OHIO BUILDING CODE AND RESIDENTIAL CODE OF OHIO WITH THE CONDITION THAT THE VILLAGE OF WEST JEFFERSON BUILDING, PLANNING AND ZONING DEPARTMENT PERFORM ALL INSPECTIONS, AND AUTHORIZING AN AGREEMENT FOR SUCH ENFORCEMENT BETWEEN THE VILLAGE OF PLAIN CITY AND THE VILLAGE OF WEST JEFFERSON, AND DECLARING AN EMERGENCY**

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

**WHEREAS**, the Board of Building Standards of the State of Ohio has certified the Village of West Jefferson Building, Planning and Zoning Department to exercise enforcement authority in accordance with the Ohio Building Code and the Residential Code of Ohio, effective January 1, 2016; and

**WHEREAS**, it is necessary and appropriate in accordance with law to administer and enforce the Ohio Building Code and the Residential Code of Ohio within the limits of the Village of Plain City in regard to all buildings including single-family, two-family and three-family dwelling houses, non-residential structures and accessory structures incidental to the same; and

**WHEREAS**, it is necessary and appropriate for the Village of Plain City to request the Board of Building Standards to certify the Village of Plain City to enforce the Ohio Building Code and the Residential Code of Ohio in regard to all buildings including single-family, two-family and three-family dwelling houses, non-residential structures and accessory structures incidental to the same, with the condition that the Village of West Jefferson Building, Planning and Zoning Department perform all inspections regarding the same and exercise such enforcement authority in accordance with the Ohio Building Code and Residential Code of Ohio; and

**WHEREAS**, it is necessary and appropriate that an agreement be entered into between the Village of Plain City and the Village of West Jefferson for the enforcement of the Ohio Building Code and the Residential Code of Ohio in regard to all buildings including single-family, two-family and three-family dwelling houses, non-residential structures and accessory structures incidental to the same and for the Village of West Jefferson Building, Planning and Zoning Department perform all inspections regarding the same and exercise enforcement authority regarding the same in accordance with the Ohio Building Code and the Residential Code of Ohio within the corporate limits of the Village of Plain City.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Village of Plain City, Madison/Union Counties, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

- Section 1.** The Mayor of the Village of Plain City and/or the Village Administrator are hereby authorized and directed to submit and sign an application to the Ohio Board of Building Standards requesting said Board to certify the Village of Plain City to enforce the Ohio Building Code and the Residential Code of Ohio in regard to all buildings including single-family, two-family and three-family dwelling houses, non-residential structures and accessory structures incidental to the same , with the condition that the Village of West Jefferson Building, Planning and Zoning Department perform all inspections regarding the same and exercise such enforcement authority in accordance with the Ohio Building Code and the Residential Code of Ohio and to enter into an agreement with the Village of West Jefferson Building, Planning and Zoning Department for such purposes.
- Section 2.** The Village of Plain City, through its Mayor and/or the Village Administrator are hereby authorized and directed to enter into an agreement, subject to Council approval, with the Village of West Jefferson for the enforcement of the Ohio Building Code and the Residential Code of Ohio in regard to all buildings including single-family, two-family and three-family dwelling houses, non-residential structures and accessory structures incidental to the same, whereby the Village of West Jefferson Building, Planning and Zoning Department will exercise all enforcement authority regarding the same and accept and approve plans and specifications and make inspections necessary regarding the same within said Village in accordance with the provisions of the Ohio Building Code and the Residential Code of Ohio pursuant to the Ohio Administrative Code except that the scope of certification and services shall not include "Plumbing," as governed by the Ohio Plumbing Code Sections 4101:3-1 to 4101:3-15 of the Administrative Code.
- Section 3.** The terms of said agreement shall grant to Village of West Jefferson Building, Planning and Zoning Department full authority to do all things necessary to administer and enforce the Ohio Building Code and the Residential Code of Ohio in regard to all buildings including single-family, two-family and three-family dwelling houses, non-residential structures and accessory structures incidental to the same , and in consideration thereof to allow the Village of West Jefferson Building, Planning and Zoning Department to retain all permit and inspection fees.
- Section 4.** The Legislative Authority of the Village of Plain City further agrees to hold the Village of West Jefferson Building, Planning and Zoning Department harmless for all claims or causes of action of every kind and nature arising from the acts of the Village of West Jefferson Building, Planning and Zoning Department, its agents, employees and representatives in the administration and enforcement of said Code in regard to all buildings including single-family, two-family and three-family dwelling houses, non-residential structures and accessory structures incidental to the same.

**Section 5.** This Ordinance is declared to be an emergency measure, effective immediately upon passage and necessary for the preservation of the public health, safety and welfare. Such emergency exists in that the certification of the Village and the execution of the agreement with the Village of West Jefferson, and the services to be provided by virtue of the same, are immediately needed, and any delay in the same will deny the public the benefits and services envisioned, all contrary to the public good.

**WHEREFORE**, this Ordinance shall be in effect and in force from and after the earliest time permitted by law.

**Vote:** Suspend Three Readings: 6 aye \_\_\_\_\_ nay \_\_\_\_\_ abstain  
Emergency: 6 aye \_\_\_\_\_ nay \_\_\_\_\_ abstain

**VOTE ON ORDINANCE No.** 9-19 **YEAS** **NAYS**  
\_\_\_\_\_

**PASSED:** September 30, 2019

Darrin Lane  
Darrin Lane, Mayor

**ATTEST:**

Renee Sonnett  
Renee Sonnett, Fiscal Officer

I certify that this is a true and correct copy of 9-19 as the same is contained in the records of the Fiscal Officer of the Village of Plain City, Ohio.  
Renee Sonnett  
Fiscal Officer  
Village of Plain City, Ohio

**Certificate of Publication**

The undersigned, being Village Fiscal Officer of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 123.01 of the Codified Ordinances. The posting was done from \_\_\_\_\_, 2019 to \_\_\_\_\_, 2019 at the Office of the Fiscal Officer located at 213 South Chillicothe Street; the Plain City Public Library located at 305 W. Main Street; the Security National Bank located at 105 W. Main Street; the Richwood Banking Co. located at 601 W. Main Street; all being in the Village of Plain City, Ohio and the Village of Plain City Website at [www.plain-city.com](http://www.plain-city.com).

Date: \_\_\_\_\_, 2019

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Village Fiscal Officer