

ORDINANCE 2021-07
INTRODUCED BY: WYVILLE

4297

**AN ORDINANCE
AMENDING CHAPTER 1321 OF THE BUILDING CODE OF
THE VILLAGE OF CHAGRIN FALLS AND AMENDING
CODIFIED ORDINANCE SECTIONS 1321.01(b) AND
1321.05 AND DECLARING AN EMERGENCY.**

WHEREAS, the Village Administration has determined that changes should be made to the Administrative provisions regarding the Residential Code of the Village of Chagrin Falls for 1, 2 and 3 family dwellings;

WHEREAS, the Village has determined that it will not necessarily become certified by the Ohio Board of Buildings Standards to enforce the State Code (as defined in Codified Ordinance Section 1321.01(a)).

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. The last sentence of Codified Ordinance Section 1321.01(b), is hereby amended in its entirety to read as follows:

The Village Building Department will not be required to be certified by the Ohio Board of Building Standards in order to enforce the Village Code, and the State Code will, unless the Village Building Department becomes certified, not be applicable within the Municipal Corporation limits of the Village by operation of Ohio R.C. 3781.10(A)(2).

The existing last sentence of Section 1321.01(b), the full text of which follows is hereby repealed, reads in its entirety:

The Village Building Department will not be certified to enforce the State Code, and the State Code will, by operation of Ohio R.C. 3781.10(A)(2), not be applicable within the Municipal Corporation limits of the Village.

As amended, Codified Ordinance Section 1321.01(b) with strikeouts for deletions and underlining for additions, reads in its entirety as follows:

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The Village Building Department will not be required to be certified by the Ohio Board of Building Standards in order to enforce the State Village Code, and the State Code will, ~~by operation of Ohio R.C. 3781.10(A)(2)~~, unless the Village Building Department becomes certified, not be applicable within the Municipal Corporation limits of the Village by operation of Ohio R.C. 3781.10(A)(2).

SECTION 2. Codified Ordinance Section 1321.05 is hereby amended in its entirety to read as follows:

1321.05 Enforcement Personnel.

No person shall be authorized to interpret or enforce the Village Code unless that person holds current certification as either an International Code Council (I.C.C.) Residential Building Inspector, or certified as a Residential Building Inspector by the Ohio Board of Building Standards. Any person appointed to the Building Department without either of these certifications is required to obtain a minimum of one (1) year of experience working under the supervision of the Village Building Inspector, or Building Inspector contractor who contracts to perform such services, and such appointee must then obtain a minimum of the I.C.C. Residential Building Inspector certification within one (1) year from the date of appointment, before they can be a Building Inspector, and until then shall hold the position of trainee. Persons who have been certified to enforce the State Code may enforce the Village Code, but such personnel are not required to be certified by the State as Residential Building Inspectors by the Ohio Board of Building Standards. All personnel employed to interpret and enforce the Village Code shall obtain such additional and continuing training as the Mayor or the Chief Administrative Officer deems reasonable and necessary, and which is funded by an appropriation by the Village Council.

Existing Section 1321.05 of the Codified Ordinances, the full text which follows, is hereby repealed:

No person shall be authorized to interpret or enforce the Village Code unless that person has sufficient training and experience to become certified by the State of Ohio to interpret or enforce the State Code. Persons who have been certified to enforce the State Code may enforce the Village Code, but such personnel are not required to be certified by the State. All personnel employed to interpret and enforce the Village Code shall obtain such additional and continuing training as the Mayor deems reasonable and necessary, and which is funded by an appropriation by the Village Council.

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As amended, Codified Ordinance Section 1321.05 with strikeouts for deletions and underlining for additions, reads in its entirety as follows:

1321.05 Enforcement Personnel.

No person shall be authorized to interpret or enforce the Village Code unless that person holds current certification as either an International Code Council (I.C.C.) Residential Building Inspector, or certified as a Residential Building Inspector by the Ohio Board of Building Standards. Any person appointed to the Building Department without either of these certifications is required to obtain a minimum of one (1) year of experience working under the supervision of the Village Building Inspector, or Building Inspector contractor who contracts to perform such services, and such appointee must then obtain a minimum of the I.C.C. Residential Building Inspector certification within one (1) year from the date of appointment, before they can be a Building Inspector, and until then shall hold the position of trainee. Persons who have been certified to enforce the State Code may enforce the Village Code, but such personnel are not required to be certified ~~by the State as Residential Building Inspectors by the Ohio Board of Building Standards.~~ All personnel employed to interpret and enforce the Village Code shall obtain such additional and continuing training as the Mayor or the Chief Administrative Officer deems reasonable and necessary, and which is funded by an appropriation by the Village Council.

SECTION 3. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 4. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 5. That this Ordinance be and is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the habitants of the Village and for the further reason that enforcement of the Village Code by appropriate personnel needs to be implemented as soon as possible. Wherefore, provided it receives two-thirds (2/3) of the votes of all members elected to Council, this Ordinance shall be in full and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise it shall take effect and be in force after the earliest period allowed by law.

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PASSED: January 25, 2021

Erinn W Grube

Erinn Grube, Council President

Submitted to the Mayor for
his approval on this

25th day of January, 2021

Approved by the Mayor

January 26

_____, 2021

William A. Tomko

Mayor William Tomko

I hereby certify that Ordinance No. 2021-07 was duly enacted on the 25th day of January, 2021, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

David B. Bloom

David Bloom, Clerk of Council