

CITY OF STRUTHERS

Ordinance

NO. 21-065

***AN ORDINANCE AMENDING THE CITY’S CODIFIED
ORDINANCES TO CREATE CHAPTER 1501 – OHIO FIRE CODE,
AND DECLARING AN EMERGENCY.***

WHEREAS, § 3737.82 of the Ohio Revised Code requires the State Fire Marshall to adopt a state fire code consisting of rules relating to all aspects of fire safety;

WHEREAS, the Ohio Fire Code, as adopted by the State Fire Marshall, is currently set forth in Chapter 1301:7-7 of the Ohio Administrative;

WHEREAS, Council deems it in the best interest and for the health, safety and welfare of the City and its residents to establish rules regarding all aspects of fire safety at any structures, building, premises, or other locations within the City.

NOW, THEREFORE, BE IT ORDINANCE by Council for the City of Struthers, Ohio, ³/₄'s of all members elected thereto concurring, that:

SECTION 1: The City’s Codified Ordinances are amended to create Chapter 1501, which shall read as set forth in Exhibit A hereto and incorporated herein by reference.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open in the public, in compliance with law.

SECTION 3: A delay in the effective date of this ordinance will result in detriment to the economic health, safety and welfare of the Struthers community at large. Accordingly, this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare of the City and shall therefore be in full force and effect from and immediately upon its passage and approval by the Mayor.

PASSED IN COUNCIL THIS 8th DAY OF December, 2021.

Megan R. Shorthouse
CLERK OF COUNCIL

Michael S. Patrick
PRESIDENT OF COUNCIL

FILED WITH THE MAYOR THIS 8th DAY OF December, 2021.

Megan R. Shorthouse
CLERK OF COUNCIL

APPROVED BY THE MAYOR THIS 8th DAY OF December, 2021.

Catherine Cercone Miller
MAYOR

PUBLISHED IN THE HOMETOWN JOURNAL

DATE: 12/16/2021-12/23/2021

Megan R. Shorthouse
CLERK OF COUNCIL

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EXHIBIT "A"
NO. 21-065

EXHIBIT A

1501.01 ADOPTION

The City hereby adopts the Ohio Fire Code as adopted by the Ohio Division of State Fire Marshal, Department of Commerce, effective December 15, 2017, and as published in Chapter 1301:7-7 of the Ohio Administrative Code, and all future amendments thereto.

1501.02 PURPOSE

The purpose of the Ohio Fire Code is to establish the minimum requirements consistent with nationally recognized good practices for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to fire fighters and emergency responders.

1501.03 APPLICATION

The Ohio Fire Code applies to the use of all lands and properties within the City and such other lands or properties owned by the City outside of the corporate limits thereof.

1501.04 ENFORCEMENT

- (a) The Chief of the Struthers Fire Department is hereby charged with the administration and enforcement of the Ohio Fire Code. The Chief may delegate to other members of the Struthers Fire Department full authorization to perform any of the duties or acts that are required or authorized to be performed by the Fire Chief.
- (b) Upon the request of the Fire Chief, the Law Director shall institute and prosecute any necessary action or proceeding to enforce this Chapter, the Ohio Fire Code, or Chapter 3737 of the Ohio Revised Code.

1501.05 RULES AND REGULATIONS

The Fire Chief, in consultation with the Mayor, may adopt any rules and regulations as may be necessary for the effective administration and enforcement of the Ohio Fire Code. Such rules and regulations shall be consistent with the Ohio Fire Code, the Ohio Revised Code, and these Codified Ordinances. Such rules and regulations shall be reported to Council and shall become effective unless amended or disapproved by resolution of Council within thirty (30) days after such report.

1501.06 COMPLIANCE

- (a) No person shall knowingly violate any provision of the Ohio Fire Code or any order issued pursuant thereto.
- (b) Whoever violates this section is guilty of a misdemeanor of the first degree.

1501.07 CONFLICT

If the Ohio Fire Code conflicts with any other City ordinance, the more restrictive provision shall govern.

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1501.99 VIOLATION

- (a) The imposition of a criminal penalty under this chapter shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time.
- (b) Each day that prohibited conditions are maintained shall constitute a separate offense.
- (c) The imposition of a criminal penalty under this chapter shall not bar or prevent the imposition of civil penalty pursuant to the Ohio Fire Code.
- (d) The imposition of a civil penalty pursuant to the Ohio Fire Code shall not bar or prevent the imposition of a criminal penalty under this chapter.