

RESOLUTION NO. 16-2019

ENFORCING THE OHIO FIRE CODE (OAC 1301:7-7) WITH MODIFICATIONS, DECLARING AN EMERGENCY, AND WAIVING THE SECOND READING

WHEREAS, West Chester Township has adopted a Limited Home Rule form of Township Government pursuant to the Ohio Revised Code, Section 504.01; and,

WHEREAS, Ohio Revised Code, Section 3737.82 and Section 103 of the current Ohio Fire Code (OAC 1301:7-7(C)) establish the current State Fire Code as the minimum statewide standard for all fire departments in the State and require all provisions of that code to be enforced by all political subdivisions in the State; and,

WHEREAS, The West Chester Township Board of Trustees recognizes that the safeguarding, to a reasonable degree, of life and property from fire and explosion within West Chester Township is essential to the preservation of a safe and healthful environment; and,

WHEREAS, This resolution establishes the minimum regulations governing the conditions and maintenance of buildings, structures and fire protection systems within West Chester Township and provides standards to ensure that structures are safe for occupancy; and,

WHEREAS, The Ohio State Fire Marshal has adopted and published the Ohio Fire Code (Ohio Administrative Code 1301:7-7) and all subsequent amendments; and,

NOW, THEREFORE BE IT RESOLVED, that the West Chester Township Board of Trustees does hereby agree to:

SECTION 1. Repeal the West Chester Township Resolution 17-90 approved June 12, 1990 by the Township Trustees of Union Township. Aboveground storage tanks approved and installed will comply with the requirements enacted by the Ohio State Fire Marshal through the current edition of the Ohio Fire Code.

SECTION 2. Approve the West Chester Fire Department to be primarily responsible for the enforcement of the Ohio Fire Code as otherwise provided by Resolution. The current edition of the Ohio Fire Code and all subsequent amendments shall be enforced as amended and revised in the following respects:

Ohio Fire Code Rule 5 - Fire Service Features, Section 507.5.1:

- Delete Exceptions 1 & 2

SECTION 3. Approve the enforcement of the International Fire Code Appendices as found in the Ohio Fire Code with alterations as noted:

International Fire Code - Appendices

- Do Not Adopt Appendix A (Board of Appeals)
- Adopt Appendix B (Fire Flow Requirements for Buildings)
- Adopt Appendix C (Fire Hydrant Locations and Distribution)
- Adopt Appendix D (Fire Apparatus Access Roads)
- Adopt Appendix E (Hazard Categories)
- Adopt Appendix F (Hazard Ranking)
- Adopt Appendix G (Cryogenic Fluids – Weights and Volume Equivalents)
- Adopt Appendix H (Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions)
- Adopt Appendix I (Fire Protections Systems – Non-Compliant Conditions)
- Adopt Appendix J (Building Information Sign)
- Adopt Appendix K (Construction Requirements for Existing Ambulatory Care Facilities)
- Adopt Appendix L (Requirements for Firefighter Air Replenishment Systems)
- Adopt Appendix M (High-Rise Buildings – Retroactive Automatic Sprinkler Requirements)
- Adopt Appendix N (Indoor Trade Shows and Exhibitions)

SECTION 4. That nothing in this resolution or in the Ohio Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquitted or liability incurred, or any court, or any clause or clauses of action acquired or existing under any act or resolution hereby repealed; nor shall any just right or legal remedy of any character be lost, impaired or affected by this resolution

SECTION 5. That this Resolution, when adopted, shall supersede and repeal Resolution 32--2002 entitled Approve and Adopt with Modifications The International Code Council, Inc. "International Fire Code / 2000" as the Fire Code of West Chester Township.

SECTION 6. The West Chester Township Fiscal Officer is hereby directed to publish a notice clearly identifying the Ohio Fire Code, stating the purpose is on file with the Fiscal Officer for inspection by the public and also on file in the Butler County Law Library; and that the Fiscal Officer has copies available for distribution. The Fiscal Office shall post such notice in five conspicuous places in the Township for 30 days before this Resolution becomes effective.

SECTION 7. The Township Trustees, upon a majority vote, dispense with the requirement that this Resolution be read on two separate dates, pursuant to Ohio Revised Code, Section 504.10, and authorize the passage of this resolution upon its first reading.

SECTION 8. That the West Chester Township Clerk shall certify to the adoption of this Resolution and cause the same to be published as required by law; and this Resolution shall take effect after the earliest period allowed by law.

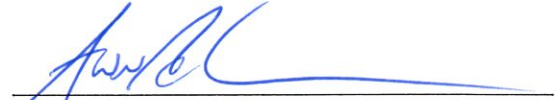
SECTION 9. That this Resolution is hereby adopted as an emergency measure, necessary for the preservation of the public peace, health, welfare, and safety of West Chester

Township and shall take effect immediately. The reason for the emergency is to provide for the necessary safeguarding of life and property from fire within the Township.

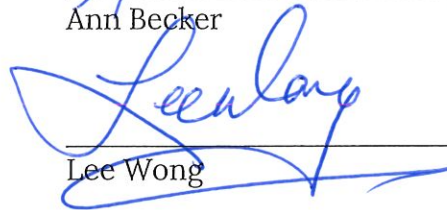
Adopted this 28th day of August 2019.



Mark Welch, Chairman



Ann Becker



Lee Wong

ATTEST:



Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:



Donald L. Crain, Law Director