

ORDINANCE #08-14

ORDINANCE AUTHORIZING A REQUEST TO THE BOARD OF BUILDING STANDARDS TO CERTIFY THE VILLAGE OF THORNVILLE TO EXERCISE ENFORCEMENT AUTHORITY IN ACCORDANCE WITH THE OHIO BASIC BUILDING CODE WITH THE CONDITION THAT THE MUSKINGUM COUNTY BUILDING DEPARTMENT PERFORM ALL INSPECTIONS AND AUTHORIZING AN AGREEMENT FOR SUCH ENFORCEMENT BETWEEN THE VILLAGE OF THORNVILLE AND MUSKINGUM COUNTY, OHIO.

Whereas, the Board of Building Standards of the State of Ohio has formulated and adopted the Ohio Basic Building Code containing regulations governing the erection, construction, repair, alternation and maintenance of all building or classes of building specified in 3781.06 of the Ohio Revised Code; and

Whereas, the said Board of Building Standards has certified the Muskingum County Building Department to exercise enforcement authority in accordance with the Ohio Basic Code.

Whereas, it is necessary in accordance with law to administer and enforce the Ohio Basic Code within the Village of Thornville, Ohio; and

Whereas, it necessary for the Village of Thornville to request the Ohio Board of Building Standards to certified the Village of Thornville to enforce the Ohio Basic Code with the condition that the Muskingum County Building Department performs all inspections and exercise enforcement authority in accordance with the Ohio Basic Building Code; and

Whereas, it necessary that an agreement be entered into between the Village of Thornville and Muskingum County for the enforcement of the Ohio Basic Building Code and to perform all inspections and exercise enforcement authority in accordance with the Ohio Basic Building Code within the limits of Village of Thornville:

NOW THEREFORE BE IT, AND IT IS HEREBY ORDIANED, by the Village of Thornville, Perry County, State of Ohio, a majority of its members elected to the Village Council thereto concurring that:

1. The Mayor of the Village of Thornville is hereby authorized and directed to sign and submit an application to the Ohio Board of Building Standards requesting said Board to certify the Village of Thornville Building Department to enforce the Ohio Basic Building Code with the condition that Muskingum County Building Department perform all inspections and exercise enforcement authority as necessary in accordance with the Ohio Basic Code, within the limits of said Village, and to enter into an agreement with Muskingum County for such purpose.
2. The Village of Thornville, through its Mayor and its Fiscal Officer is hereby authorized and directed to enter into an agreement with Muskingum County for the enforcement of the Ohio Basic Code within the limits of said Village of Thornville, whereby the Muskingum County Building Department will exercise all enforcement authority and accept and approve plans and specification and make inspections necessary within said Village of Thornville in accordance with the provisions of the Ohio Basic Code Building Code pursuant to rule 4101:2-1-03 of the Administrative Code, except " Plumbing," Chapter 4101:02 2-56 to 4101: 2-69 of the Administrative Code.
3. The terms of the said agreement shall grant to the County full authority to do all things necessary to administer and enforce the Ohio Basic Building Code within the limit of the Village of Thornville and in consideration therefore to allow the County to retain all

to the Ohio Board of Building Standards requesting said Board to certify the Village of Thornville Building Department to enforce the Ohio Basic Building Code with the condition that Muskingum County Building Department perform all inspections and exercise enforcement authority as necessary in accordance with the Ohio Basic Code, within the limits of said Village, and to enter into an agreement with Muskingum County for such purpose.

2. The Village of Thornville, through its Mayor and its Fiscal Officer is hereby authorized and directed to enter into an agreement with Muskingum County for the enforcement of the Ohio Basic Code within the limits of said Village of Thornville, whereby the Muskingum County Building Department will exercise all enforcement authority and accept and approve plans and specification and make inspections necessary within said Village of Thornville in accordance with the provisions of the Ohio Basic Code Building Code pursuant to rule 4101:2-1-03 of the Administrative Code, except " Plumbing," Chapter 4101:02 2-56 to 4101: 2-69 of the Administrative Code.

3. The terms of the said agreement shall grant to the County full authority to do all things necessary to administer and enforce the Ohio Basic Building Code within the limit of the Village of Thornville and in consideration therefore to allow the County to retain all permit and inspection fee authorized by the State of Ohio for such purposes.

4. The Legislative Authority of said Village of Thornville further agrees to hold the County harmless for all claims or causes of action of every kind and nature arising from those acts of the County, its agents, employees, and representatives, that are within the

scope of the County's authority in the County's authority in the administration and enforcement of the said Code.

5. This Ordinance shall take effect at the earliest date allowed by law.

Passed this 22nd day of September, 2008

ATTESTED:

Deborah Morgan
Clerk of Council

Barth Patrick
Mayor

APPROVED AS TO FORM:

Michael C. ...
Village Solicitor