

TEMPORARY ORDINANCE NO. 10-17

PERMANENT ORDINANCE NO. _____

AN ORDINANCE ADOPTING BY REFERENCE THE 2011 EDITION OF THE OHIO FIRE CODE, AS THE "LANCASTER FIRE CODE" INCLUDING APPENDIX B-G ADDRESSING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE, EXPLOSION, HANDLING OR USE OF HAZARDOUS MATERIALS AND THE USE AND OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF LANCASTER, MAKING AMENDMENTS AND DELETIONS, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES, AMENDING 1303.01(a) AND REPEALING EXISTING 1303.01(a) AND ORDINANCE 41-08, AND TO DECLARE AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That a certain document, one (1) copy of which is on file with the Fairfield County Law Library, Lancaster City Law Director's Office (Clerk of Council), and the Lancaster Building Department, and copies of which may be ordered at cost in the Law Director's Office, being marked and designated as the Ohio Fire Code, 2011 edition including Appendixes B-G, as published by the International Code Council, be and is hereby adopted as the Lancaster Fire Code addressing conditions hazardous to life and property from fire, explosion, handling or use of hazardous materials and the use and occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said 2011 Ohio Fire Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2. The following sections of the Lancaster Fire Code are hereby revised as follows:

101.1 TITLE. The rules as set forth in this code shall be known as the "Lancaster Fire Code" abbreviated "LFC" but hereinafter may also be referred to as the "state fire code" or "this code" throughout the Code.

101.2 SCOPE. This code establishes rules for the administration and enforcement of authorities granted to fire code officials in Lancaster Codified Ordinance Chapter 1303, including but not limited to, regulations affecting or relating to structures, processes, premises and safeguards regarding:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices;
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises;
3. Fire hazards in the structure or on the premises from occupancy or operation;
4. Matters related to the construction, extension, repair, alteration or removal of fire suppression or alarm systems.

104.8 MODIFICATIONS BY FIRE MARSHAL. Replace "Fire Marshal" with "Fire Chief" and "State Fire Code" with "Lancaster Fire Code".

108.1 APPEALS OF ORDERS. Appeals of orders made by the fire official relative to the application of this Code shall be in accordance with Lancaster Codified Ordinance, Chapter 1303.

109.1.1 FIRE CODE ENFORCEMENT. If upon inspection or investigation, the fire chief, or a certified fire safety inspector believes that the Lancaster Fire Code has been violated, the certified fire safety inspector may issue an administrative violation in accordance with Lancaster Codified Ordinance 101.08 or a Notice of Violation in accordance with Lancaster Codified Ordinance 1303 to the responsible person.

109.1.1.1 – 109.2.3. Are not adopted.

109.3 – 109.3.4 Are not adopted.

109.3.5 VIOLATION CIVIL PENALTIES. Penalties are specified for Administrative Violations in 101.08 of the Lancaster Codified Ordinances or for Notice of Violation in Chapter 1303 of the Lancaster Codified Ordinances.

Section 110 UNSAFE BUILDINGS. Replace “citation” with “Notice of Violation”

i. Replace “Section 3737.41 of the Revised Code” with “Lancaster Codified Ordinance 1303”.

ii. Replace “citation pursuant to Section 3737.42 of the Revised Code” with “Notice of Violation pursuant to Lancaster Codified Ordinance 1303”.

Section 112 - 115 Are not adopted.

SECTION 3. That Section 1303.01(a) is hereby amended to read as follows:

1303.01(a) 2011 LANCASTER FIRE CODE

SECTION 4. That existing Lancaster Codified Ordinance 1303.01(a) adopted by Ordinance 41-08, is hereby repealed and replaced.

SECTION 5. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Lancaster City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that anyone or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 6. That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 7. That the Clerk of Council is hereby ordered and directed to cause this ordinance to be published.

SECTION 8. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare by allowing for critical life

safety inspections and enforcement by the City Building Department and Lancaster Fire Department. Therefore this ordinance shall go into effect immediately upon signature of the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Attest: _____

Mayor

Offered by: _____

Second by: _____

Requested by Law Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2017 and _____, 2017 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council