

VILLAGE OF NEW CONCORD

**ORDINANCE NO. K-7-96-1**

AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE VILLAGE OF NEW CONCORD 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 NEW CONCORD AND MUSKINGUM COUNTY, OHIO, AND DECLARING AN EMERGENCY.

**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, alteration, and maintenance of all buildings or classes of buildings specified in Section 3781.06 or the Revised Code of Ohio; and

**WHEREAS**, the said Board of Building Standards has now certified the Muskingum County Building Department to exercise enforcement authority in accordance with the Ohio Basic Building Code, effective February 12, 1996, as set forth in said Board's certification dated December 14, 1995, and

**WHEREAS**, it is necessary in accordance with law to administer and enforce the Ohio Basic Building code within the limits of the Village of New Concord; and

**WHEREAS**, it is necessary for the Village of New Concord to request the Ohio Board of Building Standards to certify the Village of New Concord to enforce the Ohio Basic Building Code with the condition that the Muskingum County Building Department perform all inspections and exercise the enforcement authority in accordance with the Ohio Basic Building Code; and

**WHEREAS**, it is necessary that an agreement be entered into between the Village of New Concord 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 said Village;

**THEREFORE**, be it ordained by the legislative authority of the Village of New Concord, Muskingum County, Ohio three-fourths of all members elected thereto concurring, that:

Section 1: The Mayor of the Village of New Concord is hereby authorized and directed to sign and submit an application to the Ohio Board of Building Standards requesting said Board of certify the Village of New Concord to enforce the Ohio Basic Building Code with the condition that the Muskingum County Building Department perform all inspections and exercise enforcement authority as necessary in accordance with the Ohio Basic Building Code within the limits of said Village, and to enter into an agreement with Muskingum County for such purpose.

Village, and to enter into an agreement with Muskingum County for such purpose.

Section II. The Village of New Concord through its Mayor and its Clerk is hereby authorized and directed to enter into an agreement with Muskingum County for the enforcement of the Ohio Basic Building Code within the limits of said Village whereby the Muskingum County Building Department will exercise all enforcement authority and accept and approve plans and specifications and make inspections necessary within said village in accordance with the provision of the Ohio Basic Building Code pursuant to rule 4101:2-1-03 of the Administrative Code, except "Plumbing", Chapters 4101:2-5 to 4101:2-69 of the Administrative Code.

Section III. 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 limits of the Village of New Concord and in consideration therefore to allow the County to retain all permit and inspection fees authorized by the State of Ohio for such purposes.

Section IV. The Legislature Authority of the said Village of New Concord further agrees to hold the County harmless for all claims or causes of action of every kind and nature arising from the acts of the County, its agents, employees, and representatives in the administration and enforcement of said Code.

Section V. This Ordinance is hereby declared to be an emergency measure, the immediate passage of which is necessary for the public health, safety and welfare and for the further reason that said Code must be enforced and administered according to law and particularly pursuant to the requirements of Chapter 3781 of the Revised Code of Ohio; wherefore, this Ordinance shall take effect and be in force immediately upon its passage.

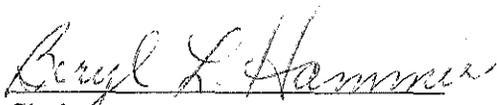
PASSED: July 22, 1996

  
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President of Council

APPROVED: July 22, 1996

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk

I hereby certify that the above Ordinance No. K-7-96-1 was posted per Ordinance No. L-1-84-1 from Aug. 5, 1996 to Jan. 14, 1997.

  
\_\_\_\_\_, Clerk