

TEMPORARY ORDINANCE NO. 13-21

PERMANENT ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANCASTER, TO REPEAL AND REPLACE EXISTING LANCASTER CODIFIED ORDINANCES 1525.01 – “ADOPTION” AND 1525.02 “AMENDMENTS” OF PART FIFTEEN – FIRE PREVENTION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER, AND TO DECLARE AN EMERGENCY

WHEREAS, these changes are needed to provide for the immediate public safety and health of the citizens of Lancaster; and

WHEREAS, the State of Ohio has updated its uniform fire safety and prevention standards as reflected in the 2017 Ohio Fire Code and found in the Ohio Administrative Code Chapter 1301:7-7; and

WHEREAS, the City of Lancaster seeks to adopt the most current standardized fire safety and prevention standards under the 2017 Ohio Fire Code with certain amendments, deletions, and insertions; and

WHEREAS, the Lancaster Fire Department has requested said adoption to enforce the 2017 Ohio Fire Code with the listed amendments, deletions, and insertions;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, FAIRFIELD COUNTY, STATE OF OHIO

SECTION 1. That Part Fifteen – Fire Prevention Code, Chapter 1525 – Lancaster Fire Code, Sections 1525.01 and 1525.02 is hereby repealed and replaced pursuant to Exhibit “A” attached hereto and incorporated by reference herein.

SECTION 2. 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 3 That nothing in this ordinance 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or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.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 4. That the Clerk of Council is hereby ordered and directed to cause this ordinance to be published.

SECTION 5. 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 safety inspections and enforcement by the City Building Department, Lancaster Fire Department, and Code Enforcement. Therefore, this ordinance shall go into effect immediately upon signature of the Mayor.

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

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Law Committee

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

Clerk of Council

CODIFIED ORDINANCES OF LANCASTER

PART FIFTEEN - FIRE PREVENTION CODE

CHAPTER 1525
Lancaster Fire Code

1525.01 Adoption.

1525.02 Amendments.

1525.01 ADOPTION.

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, ~~2014~~ **2017** 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 ~~2014~~ **2017** Ohio Fire Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 1525.02 - **Amendments.** (~~Ord. 11-17. Passed 4-10-17.~~)

1525.02 AMENDMENTS.

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

Section 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" **or "Ohio Fire Code"** throughout the Code.

Section 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.
- 5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.**

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

Section 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.

Section 109. VIOLATIONS. Replace “State Fire Marshal” with “Fire Chief”.

Sections 109.1.1.1 – 109.4. Are not adopted.

Section 109.1.4 5 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 **or fire chief** may issue **to the responsible person either a Notice of Violation pursuant to Lancaster Codified Ordinance Chapter 1303 or an Administrative Violation in accordance with Lancaster Codified Ordinance 101.08.** ~~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~~ **Sections 109.1.5.1 to 109.1.5.1.4.** Are not adopted.

Section 109.1.6 ENFORCMENT TO REMEDY DANGEROUS CONDITIONS. Replace “Section 3737.41 of the Revised Code” with “Lancaster Codified Ordinance Chapter 1303.” Replace “citation pursuant to Section 3737.42 of the Revised Code” with “Notice of Violation of violation pursuant to Lancaster Codified Ordinance Chapter 1303.”

Sections 109.3 - 109.3.4 5. Are not adopted.

Section 109.3 5 109.4 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”. **Replace “Section 3737.41 of the Revised Code” with “Lancaster Codified Ordinance Chapter 1303”. Replace “citation pursuant to Section 3737.42 of the Revised Code” with “Notice of Violation pursuant to Lancaster Codified Ordinance Chapter 1303”.**

~~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 111 STOP WORK ODER. Replace “3737.42 of the Revised Code” with “Lancaster Codified Ordinance Chapter 1303.”

Section 111.4 FAILURE TO COMPLY. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to remove a violation or unsafe condition, shall be subject to penalties in accordance with Lancaster Codified Ordinance Section 101.08 and Lancaster Codified Ordinance Section 1303.99.

Section 112 - 115 Are not adopted.
(Ord. 11-17. Passed 4-10-17.)