

ORDINANCE NO. 197-15

BY: **BRIAN DAY**  
(By Request – Safety Director)

AN ORDINANCE TO ADOPT THE OHIO FIRE CODE, TO REPEAL EXISTING CHAPTER 1302 AND TO ENACT A NEW CHAPTER 1302 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY.

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

Section 1. That there is hereby adopted by reference the 2011 Ohio Fire Code, together with Appendices B through G thereto, as adopted by the Ohio Division of State Fire Marshal, Department of Commerce, and as published in Division 1301:7 of the Ohio Administrative Code.

Section 2. That existing Chapter 1302 of the Codified Ordinances of the City of Parma, titled "International Fire Code", is hereby repealed in its entirety.

Section 3. That a new Chapter 1302 of the Codified Ordinances of the City of Parma, titled "Ohio Fire Code", is hereby enacted to read as the attached Exhibit "A".

Section 4. That the purpose of adopting the Ohio Fire Code is to establish minimum standards and regulations for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety to fire fighters and emergency responders during emergency operations.

Section 5. That the rules of the Ohio Board of Building Standards including the Ohio Basic Building Code shall supersede and govern any order, standard or rule of the Department of Commerce, Division of State Fire Marshal including the Ohio Fire Code, in all cases where such orders, standards or rules are in conflict with the rules of the Ohio Board of Building Standards, except that rules adopted and orders issued by the State Fire Marshal pursuant to Ohio R.C. Chapter 3743 prevail in the event of conflict. In all other cases of conflict between the Ohio Fire Code and any other ordinance of the City of Parma or technical code adopted thereby, the more restrictive provision shall govern.

Section 6. That in accordance with ORC 731.231, a complete copy of the Ohio Fire Code, as adopted herein, is on file with the Clerk of Council of the City of Parma, Ohio for public inspection, and also on file in County Law Library. The Clerk of Council of the City of Parma, Ohio has copies of the Ohio Fire Code and this Ordinance available for distribution to the public at cost.

Section 7. That nothing in this Ordinance or in the Ohio Fire Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 8. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 9. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare. The reason for such necessity is that the City must employ a modern, up-to-date fire code in order to effectively protect life and property from fire, explosion, handling or use of hazardous materials and other such dangerous conditions. Therefore, this Ordinance shall go into immediate effect upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise at the earliest time allowed by law.

PASSED: \_\_\_\_\_ PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
CLERK OF COUNCIL

FILED WITH THE MAYOR: \_\_\_\_\_ MAYOR, CITY OF PARMA, OHIO