

CODIFIED ORDINANCES OF ROCKY RIVER

PART FIFTEEN - FIRE PREVENTION CODE

TITLE ONE - Standards

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Chap. 1501. Ohio Fire Code.

CHAPTER 1501
Ohio Fire Code
Flammable and Combustible Liquids
Oil Burning Equipment

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CROSS REFERENCES

See sectional histories for similar State law
 Appeals of orders - see Ohio R.C. 119.12
 State certification of firefighters - see Ohio R.C. 737.08,
 737.22, 3737.33
 State certification of Fire Safety Inspectors - see Ohio
 R.C. 3737.01(D), 3737.34
 Fire investigation - see Ohio R.C. 737.27, 3737.24 et seq.
 Entry and inspection - see Ohio R.C. 737.34 et seq., 3737.14,
 3737.41, 3737.42
 Common Pleas Court jurisdiction - see Ohio R.C. 3737.44(A),
 3737.51(H)
 Ohio Fire Code - see Ohio R.C. 3737.82 et seq.; OAC Ch.
 1301:7-1 et seq.
 Fire extinguishing and alarm systems in rest and nursing homes -
 see Ohio R.C. 3721.071
 Self-service filling stations - see Ohio R.C. 3741.14
 Fireworks - see Ohio R.C. 3743.27, 3743.32 et seq.; GEN. OFF.
 549.08, 549.09

1501.01 ADOPTION.

(a) Pursuant to Article III, Section 18, of the City Charter, there is hereby adopted by the Municipality, the Ohio Fire Code (OFC) as adopted by the Ohio Division of State Fire Marshal, Department of Commerce, effective June 1, 1985, and any amendments thereto, and as published in Division 1301:7 of the Ohio Administrative Code (OAC).

(b) The BOCA Basic Fire Prevention Code, 1984, fifth edition, and any amendments thereto, and as amended by Chapters 1301:7-1 to 1301:7-7 of the Ohio Administrative Code as published by the Building Officials and Code Administrators International, Inc. is incorporated herein as fully as if set out at length.

1501.02 PURPOSE.

The purpose of the Ohio Fire Code as adopted herein is to prescribe minimum standards and regulations governing conditions hazardous to life and property from fire or explosion.

1501.03 APPLICATION.

The Ohio Fire Code as adopted herein applies to the use of all lands and properties within the Municipality and such other lands or properties owned by the Municipality which are situated outside the corporate limits thereof.

1501.04 ENFORCEMENT.

(a) No person shall serve as Municipal Fire Safety Inspector unless he has received a certificate issued by the Ohio Superintendent of Public Instruction under Ohio R.C. 3303.07 evidencing his satisfactory completion of a fire safety inspection training program.

(ORC 3737.34)

(b) The Municipal Fire Safety Inspector, upon examination or inspection, shall issue citations when he finds conditions as specified in Ohio R.C. 3737.41 which are especially dangerous to the safety of persons, buildings, premises or property, and shall make any necessary remedial orders in connection therewith. Citation enforcement may be by use of the procedures established by Ohio R.C. 3737.42 for hearing on the citation or Ohio R.C. 3737.44 for injunctive relief or temporary restraining order and oral order for vacation of the building or premises.

(c) The Municipal Fire Safety Inspector, upon reasonable belief and after inspection or investigation, shall with reasonable promptness issue a citation to the responsible person for a violation of the Ohio Fire Code or any order issued by the Ohio Fire Marshal or any Municipal Fire Safety Inspector. The citation shall fix a reasonable time for abatement of the violation and a copy shall be furnished to the Ohio Fire Marshal. Each citation issued under this Subsection (c) shall be prominently posted by the responsible person, as prescribed by the Ohio Fire Code, at or near each place a violation referred to in the citation occurs.

(d) Upon request of the Municipal Fire Safety Inspector, the Director of Law shall institute and prosecute any necessary action or proceeding to enforce this Chapter or Ohio R.C. Chapter 3737.

(e) Fire Official means the Director of Public Safety-Service, Fire Chief or Municipal Fire Safety Inspector.

1501.05 COMPLIANCE.

(a) No person shall knowingly violate any provision of the Ohio Fire Code as adopted herein or any order issued pursuant thereto.

(ORC 3737.51(A))

(b) No person shall fail to comply with the fire prevention measures or fire protection activities as prescribed in the Ohio Fire Code, or fail to obtain a permit or license for the various uses or activities as required by such Code, or fail to comply with the Municipal application and plan submission and processing requirements including payment of the fees designated thereof.

1501.06 COPIES.

Copies of the Ohio Fire Code adopted herein shall be kept in the office of the Clerk of Council for reference by interested parties, and copies are available for sale by the Clerk.

1501.07 CONFLICT.

(a) The 2002 Ohio Building Code shall supersede and govern any order, standard, rule or regulation of the Ohio Fire Code or the Division of State Fire Marshal, Department of Commerce in all cases where such orders, standards, rules or regulations are in conflict with the 2002 Ohio Building Code.

(ORC 4101:2-1-04(B))

(Ord. No. 140-02. Passed 9/23/02.)

(b) In all other cases of conflict between the Ohio Fire Code and any other Municipal ordinance or technical code adopted thereby, the more restrictive provision shall govern.

1501.99 PENALTY

(a) Criminal Penalties.

(1) Whoever violates Section 1501.05(a) is guilty of a misdemeanor of the first degree. (ORC 3737.99(B))

(2) Whoever violates Sections 1501.05(b) or 1501.06 is guilty of a minor misdemeanor. (ORC 3737.99(C))

(3) Whoever violates Section 1501.01 of this Chapter is subject to the civil and criminal penalties as prescribed by Chapter 3737 of the State Code.

(Ord. No. 21-91. Passed 3-25-91).