

RESOLUTION NO. 32 - 2002

**APPROVE AND ADOPT WITH MODIFICATIONS
THE INTERNATIONAL CODE COUNCIL, INC.
“INTERNATIONAL FIRE CODE/2000”
AS THE FIRE CODE OF WEST CHESTER TOWNSHIP**

WHEREAS, West Chester Township has adopted a Limited Home Rule form of Township Government pursuant to Ohio Revised Code Section 504.4; and,

WHEREAS, Ohio Revised Code Section 505.373 provides a Board of Township Trustees the authority, by Resolution, to adopt, administer and enforce a standard code pertaining to fire, fire hazards and fire prevention; and,

WHEREAS, the West Chester Township Board of Trustees recognizes that the safeguarding, to a reasonable degree, of life and property in the Township is essential to the preservation of a safe and healthful environment; and,

WHEREAS, this Resolution establishes the minimum regulations governing the conditions and maintenance of buildings and structures within West Chester Township, and provides standards to insure that structures are safe for occupation; and,

WHEREAS, The International Code Council, Inc. (ICC) has published a nationally recognized model fire code which is widely adopted and used throughout the United States.

NOW, THEREFORE BE IT RESOLVED, that the West Chester Township Board of Trustees does hereby agree to:

SECTION 1. Approve and adopt, as modified below, the ICC “International Fire Code/2000” (publication date: December, 1999) as published by ICC and which shall be known as the Fire Code of West Chester Township, Butler County, Ohio.

SECTION 2. Authorize that a copy of the Fire Code of West Chester Township, Butler County, Ohio, be kept on file in the office of the Township Clerk of West Chester Township and the West Chester Fire Department and shall be enforced by the West Chester Fire Department for the control of structures as herein provided; and each and all of the regulations, provision, penalties, conditions and terms of said ICC “International Fire Code/2000” are hereby referred to, adopted, and made a part hereof, as if fully set out in this Resolution, with the additions, insertions, deletions and changes prescribed below:

The ICC “International Fire Code/2000” as adopted is amended and revised in the following respects:

1. Section (all applicable): Change all references to the International Building Code to read “Ohio Building Code”.

2. Section 101.1: Insert “West Chester Township”.
3. Section 108: Board of Appeals: Delete as written and insert as follows:

108.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of five members to pass on matters pertaining to this code and who are not employees of the jurisdiction. The code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.

108.4. All appeals of orders, decision or determinations made by the code official relative to the application and interpretation of this code shall be made directly to the West Chester Township Board of Fire Code Appeals within twenty (20) days from the date of the decision or order and shall be governed based on guidelines established by the local jurisdiction.

4. Section 109.3:
 - Insert “Minor Misdemeanor” at [Specify Offence].
 - Insert “\$100.00” at [Amount].
 - After “\$100.00” delete “or by imprisonment not exceeding [number of days], or both such fines and imprisonment”.
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5. Section 111.4: Insert “\$100.00”at [Amount] in both slots.
6. Section 3402.1.1: Insert Resolution #18-90 (attached)
 - a) Delete “... there is hereby adopted by the Union township Trustees this amendment prescribing additional definitions to Section F-401.0 as needed to further clarify section F-2803.1.1...”
 - b) Insert “There is hereby adopted by the West Chester Township Trustees this amendment prescribing additional definitions to Section 202 and 3402 as needed to clarify Section 3404.1; 3404.2.9 through 3404.2.9.6.10; 3404.4; 3404.41 through 3404.48; 3406.2.3; 3406.2.4; 3406.2.4.3; and 3406.3.5; and Tables 3404.4.2 and 3405.3.4.”
 - c) Delete “Section F-401.0 Definitions:” . Insert “Sections 202 and 3402: Definitions:”
7. Section 508.5.1: Delete exceptions 1 and 2
8. Section 3404.1.1: Insert Resolution #17-90 (attached)
 - Delete “F-2803.1.1” in the resolution title
 - Insert “3404.1.1” in the resolution title

- Delete “Section F2803.1.1 replaces Section F2802.1 and F2803.1 of the Union Township Fire Prevention Code”;
 - Insert “Section 3404.1.1 replaces 3404.1; 3404.2.9 through 3404.2.9.6.10; 3404.4; 3404.4.1 through 3404.4.8; 3406.2.3; 3406 2.4; 3406 2.4.3 and 3406.3.5; and Tables 3404.4.2 and 3405.3.4; Tables 1 and 2 of the West Chester Fire Code”.
 - Delete “Section F2803.1.1”
 - Insert: “Section 3404.1.1”
 - Delete “General: #4: Section F2805.4 and Table 2805.4 Inside Storage:”
 - Insert: “General: #4: Sections 3404.3.3; 3404.3.4.1; and Table 2703.1.1 Inside Storage:”
9. • Delete Chapter 4 and adopt OAC 1301:7-7-07 by reference for enforcement by the Fire Department. (Emergency Planning and Preparedness)
- Delete Chapter 33 and adopt OAC 1301:7-7-31 for enforcement by the Fire Department as stipulated therein. (Explosives and Fireworks)
 - Delete Chapter 34 and adopt OAC 1301:7-7-28 for enforcement by the Fire Department as stipulated therein. (Flammable and Combustible Liquids)
 - Delete from the International Fire Code Chapter 45 (Referenced Standards) the reference to IBC Code-2000 International Building Code and insert the current Ohio Building Code.
 - Delete from International Fire Code Chapter 45 (Referenced Standards) the reference to IMC-2000 International Mechanical Code and insert the current Ohio Mechanical Code.
 - Delete from International Fire Code Chapter 45 (Referenced Standards) the reference to IPC-2000 International Plumbing Code and insert the current Ohio Plumbing Code.

10. APPENDICES


- Do not adopt Appendix A (Board of Appeals)
- Adopt Appendix B (Fire Flow Requirements for Buildings)
- Adopt Appendix C (Fire Hydrant Locations and Distribution)
- Adopt Appendix D (Fire Apparatus Access Roads)
- Adopt Appendix E (Hazard Categories)
- Adopt Appendix F (Hazard Ranking)
- Adopt Appendix G (Cryogenic Fluids-Weights and Volume Equivalent)

SECTION 3. That nothing in this resolution or in the International Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquitted or liability incurred, or any court, or any clause or clauses of action acquired or existing under any act or resolution hereby repealed; nor shall any just right or legal remedy of any character be lost, impaired or affected by this Resolution.

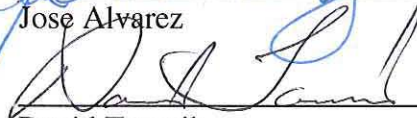
SECTION 4. That this Resolution, when adopted, shall supercede and repeal Resolution 7-85 entitled "Union Township Fire Prevention Code".

SECTION 5. That the West Chester Township Clerk shall certify to the adoption of this Resolution and cause the same to be published as required by law; and this resolution shall take effect 30 days after approval so certified.


Adopted this 17th day of December, 2002.



Jose Alvarez




David Tacosik



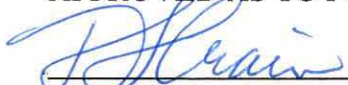
Catherine Stoker

ATTEST



Patricia Williams, Township Clerk

APPROVED AS TO FORM:



Donald L. Crain, Law Director

