

1 RESOLUTION NO. 2010-533

LATE FILING

2  
3 SPONSOR Mr. Pry

4  
5 DATE November 29, 2010

COMMITTEE Planning

6  
7 **A Resolution authorizing the County Executive to execute an Agreement with the Village of**  
8 **Silver Lake, setting forth the scope of duties, manner of performance and all essential**  
9 **terms and conditions whereby the County shall enforce Part Thirteen of the Codified**  
10 **Ordinances of the County of Summit, entitled "Building Code", which incorporates the**  
11 **2006 Residential Code of Ohio and the 2007 Ohio Building Code, on behalf of and within**  
12 **the territorial jurisdiction of the Village of Silver Lake, for the Executive's Department of**  
13 **Community and Economic Development, and declaring an emergency.**

14  
15 WHEREAS, the State of Ohio, in the interest of providing building regulations  
16 throughout the State of Ohio, has adopted the 2006 Residential Code of Ohio, which regulates  
17 residential structures, and the 2007 Ohio Building Code, which regulates non-residential  
18 structures, to provide uniform standards and requirements relating to the erection, construction,  
19 repair, alteration and maintenance of residential and non-residential buildings within the State of  
20 Ohio; and

21  
22 WHEREAS, the County of Summit Department of Building Standards, through Part  
23 Thirteen of the Codified Ordinances of the County of Summit, entitled "Building Code"  
24 (hereinafter "County Building Code") has adopted the residential and non-residential building  
25 regulations which incorporates both the 2006 Residential Code of Ohio and the 2007 Ohio  
26 Building Code; and

27  
28 WHEREAS, the County of Summit Department of Building Standards has been certified  
29 by the State of Ohio Board of Building Standards to exercise enforcement, inspecting and  
30 permitting authority pursuant to the County Building Code on behalf of and within townships  
31 and certain municipalities throughout the County; and

32  
33 WHEREAS, the Village of Silver Lake desires to enter into an Agreement with the  
34 County of Summit setting forth the scope of duties, manner of performance and all essential  
35 terms and conditions whereby the County Department of Building Standards shall enforce the  
36 County Building Code on behalf of and within the territorial jurisdiction of the Village of Silver  
37 Lake, and whereby the County Department of Building Standards shall have authority to (i)  
38 accept and approve plans and specifications for residential and non-residential buildings, (ii)  
39 permit the erection, construction, repair and alteration of residential and non-residential  
40 buildings, (iii) inspect the erection, construction, repair and alteration of residential and non-  
41 residential buildings, (iv) enforce the provisions of the County Building Code as they pertain to  
42 residential and non-residential buildings, and

43  
44 WHEREAS, it is anticipated that the Ohio Board of Building Standards will grant an  
45 application of the Village of Silver Lake for certification of the County of Summit Department of  
46 Building Standards pursuant to Section 3781.10(A) of the Ohio Revised Code to enforce the  
47 County Building Code, on behalf of and within the territorial jurisdiction of the Village of Silver  
48 Lake and to exercise all authority under Chapters 3781 and 3791 of the Ohio Revised Code on  
49 behalf of the Village of Silver Lake effective on and after January 1, 2011; and

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5 WHEREAS, given the uniformity of both the residential and non-residential building  
6 codes throughout the State of Ohio with the adoption of the 2006 Residential Code of Ohio and  
7 the 2007 Ohio Building Code, it will improve governmental efficiency and economy to  
8 consolidate multiple governmental entities performing the same code enforcement functions  
9 within the County; and

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11 WHEREAS, this Council finds and determines after reviewing all pertinent information,  
12 that it is necessary and in the best interest of the County to authorize the Executive to enter into  
13 an Agreement with the Village of Silver Lake whereby the County shall enforce the County  
14 Building Code on behalf of and within the territorial jurisdiction of the Village of Silver Lake.

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16 NOW THEREFORE, BE IT RESOLVED, by the Council of the County of Summit, State  
17 of Ohio, that:

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19 SECTION ONE

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21 The County Executive is hereby authorized to enter into an Agreement with the Village  
22 of Silver Lake setting forth the scope of duties, manner of performance and all essential terms  
23 and conditions whereby the County Department of Building Standards shall enforce the County  
24 Building Code on behalf of and within the territorial jurisdiction of the Village of Silver Lake,  
25 and whereby the County of Summit Department of Building Standards shall have the authority to  
26 (i) accept and approve plans and specifications for residential and non-residential buildings; (ii)  
27 permit the erection, construction, repair and alteration of residential and non-residential  
28 buildings; (iii) inspect the erection, construction, repair and alteration of residential and non-  
29 residential buildings and (iv) enforce the provisions of the County Building Code as they pertain  
30 to residential and non-residential buildings.

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32 SECTION TWO

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34 This Resolution is hereby declared to be an emergency in the interest of the health, safety  
35 and welfare of the residents of the County of Summit and for the further reason that it will  
36 immediately authorize the County Executive to execute said Agreement and allow the County of  
37 Summit Department of Building Standards to begin enforcement of the County Building Code  
38 on behalf of and within the territorial jurisdiction of the Village of Silver Lake on or before the  
39 certification date of January 1, 2011, as set by the Ohio Board of Building Standards.

40  
41 SECTION THREE

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43 Provided this Resolution receives the affirmative vote of the eight members, it shall take  
44 effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect  
45 and be in force at the earliest time provided by law.

1 RESOLUTION NO. 2010-533

2 PAGE THREE

3  
4 SECTION FOUR

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6 It is found and determined that all formal actions of this Council concerning and related  
7 to the adoption of this Resolution were adopted in open meeting of this Council, and that all  
8 deliberations of this Council and of any of its committees that resulted in such formal action,  
9 were in meetings open to the public, in compliance with all legal requirements, including Section  
10 121.22 of the Ohio Revised Code.

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12  
13 INTRODUCED November 29, 2010

14  
15 ADOPTED November 29, 2010

16  
17 Shawley F. Greer  
18  
19 CLERK OF COUNCIL

[Signature]  
PRESIDENT OF COUNCIL

20  
21 APPROVED November 29, 2010

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23  
24 EXECUTIVE [Signature]

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26  
27 ENACTED EFFECTIVE November 29, 2010

Voice Vote: 11-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras  
Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith