

RESOLUTION NO. 2009-004

SPONSOR Mr. Pry & Council of the Whole

DATE January 26, 2009 COMMITTEE Planning

A Resolution authorizing the County Executive to execute an agreement with the City of Akron, setting forth the scope of duties, manner of performance and all essential terms and conditions whereby the County of Summit will exercise County Building Code enforcement, inspecting and permitting authority on behalf of, and within, the City of Akron, for the Executive's Department of Community and Economic Development, and declaring an emergency.

WHEREAS, the County of Summit Department of Building Standards has been certified by the State of Ohio Board of Building Standards to exercise enforcement, inspecting and permitting authority, pursuant to Part Thirteen of the Codified Ordinances of the County of Summit, entitled "Building Code" (hereinafter "County Building Code"), on behalf of and within municipalities and townships throughout the County; and

WHEREAS, on December 1, 2008, pursuant to Resolution No. 2008-383, this Council authorized the County Executive to execute an agreement with the city of Akron whereby the County would exercise County Building Code enforcement, inspecting and permitting authority on behalf of, and within, the City of Akron; and

WHEREAS, on November 24, 2008, pursuant to Ordinance No. 516-2008, the Council of the City of Akron authorized the Mayor and/or Service Director of the City of Akron to execute and negotiate an Agreement to authorize the County of Summit Department of Building Standards to exercise County Building Code enforcement, inspecting and permitting authority within the City of Akron;

WHEREAS, on or about December 2, 2008, the Ohio Board of Building Standards granted the application of the City of Akron for certification of the County of Summit Department of building Standards, pursuant to §3781.10(a) of the Ohio Revised Code, to exercise County Building Code enforcement, inspecting and permitting authority on behalf of, and within, the City of Akron; and

WHEREAS, the County of Summit and City of Akron now desire to enter into an agreement setting forth the scope of duties, manner of performance and all essential terms and conditions whereby the County of Summit will exercise County Building Code enforcement, inspecting and permitting authority on behalf of, and within, the City of Akron; and

WHEREAS, this Council, after reviewing all pertinent information, has determined that it is in the best interest of the County and that the interests of government efficiency, service to the public and consolidation of duplicative governmental functions will be best served by authorizing the County Executive to execute an agreement with the City of Akron setting forth the scope of duties, manner of performance and all essential terms and conditions whereby the County of Summit will exercise County Building Code enforcement, inspecting and permitting authority on behalf of, and within, the City of Akron.

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

SECTION 1

The County Executive is hereby authorized to execute an agreement with the City of Akron setting forth the scope of duties, manner of performance and all essential terms and conditions whereby the County of Summit will exercise County Building Code enforcement, inspecting and permitting authority on behalf of, and within, the City of Akron.

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason to ensure that the County of Summit Board of Building Standards is able to assume the County Building Code enforcement, inspecting and permitting authority on behalf of, and within, the City of Akron on or before the certification date of February 2, 2009, established by the Ohio Board of building Standards.

SECTION 3

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

SECTION 4

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

INTRODUCED January 5, 2009

ADOPTED January 26, 2009

Shirley F. Greer
CLERK OF COUNCIL

Nick Kostandaras
PRESIDENT OF COUNCIL

APPROVED January 27, 2009

[Signature]
EXECUTIVE

January 27, 2009
ENACTED EFFECTIVE

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras, Poda, Prentice, Rodgers, Schmidt, Shapiro ABSENT: Smith