RESOLUTION NO. 2012-269

SPONSOR Mr. Pry

DATE June 25, 2012 COMMITTEE Planning

A Resolution authorizing the County Executive to execute an agreement with the City of Stow to enforce the medical gas systems provisions and perform back-up plumbing inspections pursuant to the Ohio Building Code and Ohio Plumbing Code within Stow’s territorial jurisdiction, for the Executive’s Department of Community and Economic Development, and declaring an emergency.

WHEREAS, County Council previously adopted Resolution No. 2010-059, which authorized the County Executive to apply for and obtain certification from the Ohio Board of Building Standards pursuant to Ohio Administrative Code Chapter 4101:1 for the County’s Department of Building Standards to enforce the medical gas systems provisions of the Ohio Building Code and Ohio Plumbing Code; and

WHEREAS, the Executive applied for and received said certification; and

WHEREAS, Council also adopted Ordinance No. 2010-060, which enacted Section 1301.16 of the Codified Ordinances of the County of Summit, entitled “Medical Gas Systems” and 1307.12 of the Codified Ordinances of the County of Summit, entitled “Medical Gas Systems Fees” to establish the authority and fee structure for the Division of Building Standards to enforce the medical gas systems provisions of the Ohio Building Code and Ohio Plumbing Code; and

WHEREAS, the County is charged with the enforcement of plumbing rules and regulations and employs certified plumbing inspectors; and

WHEREAS, the County of Summit and the City of Stow wish to execute an agreement whereby the County will enforce the medical gas systems provisions and perform back-up plumbing inspections pursuant to the Ohio Building Code and Ohio Plumbing Code, within Stow’s territorial jurisdiction, at the rates set forth in Section 1301.16 of the Codified Ordinances of the County of Summit for medical gas systems enforcement and the rate of $40.00 per hour plus mileage and business expenses for back-up plumbing inspections; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that the aforementioned agreement between the County and Stow is necessary and in the best interest of the County of Summit and that the Executive should be authorized to execute the same;

NOW, THEREFORE, IT IS HEREBY 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 Stow to enforce the medical gas systems provisions and perform back-up plumbing inspections pursuant to the Ohio Building Code and Ohio Plumbing Code, within the City of Stow’s territorial jurisdiction, at the rates set forth in Section 1301.16 of the Codified Ordinances of the County of Summit for medical gas systems enforcement and the rate of $40.00 per hour plus
RESOLUTION NO. 2012-269
PAGE TWO

SECTION 1 (cont'd.)

mileage and business expenses for back-up plumbing inspections. A copy of the agreement is
attached hereto as Exhibit A and incorporated herein as if fully restated. The agreement is
hereby approved with changes therein not inconsistent with this Resolution and not substantially
adverse to the County which shall be approved by the County Executive; provide that the
approval of those changes by the County Executive and the character of such changes as not
being substantially adverse to the County shall be evidenced conclusively by the execution of the
agreement.

SECTION 2

This Resolution is hereby declared to be an emergency in the interest of the health, safety
and welfare of the citizens of the County of Summit, Ohio, and for the further reason that it is
immediately necessary to authorize the Executive to execute the medical gas systems
enforcement and back-up plumbing inspections agreement with the City of Stow so that the
County can immediately begin to perform such duties on behalf of Stow.

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 Ordinance 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 June 18, 2012
ADOPTED June 25, 2012

CLERK OF COUNCIL

APPROVED June 26, 2012

EXECUTIVE

ENACTED EFFECTIVE June 26, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro