

SPONSOR Lemaster

RESOLUTION NO 2024-68

A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO EXECUTE AN AGREEMENT WITH ROSS COUNTY TO AUTHORIZE ROSS COUNTY TO PROVIDE BUILDING INSPECTIONS AND DECLARING AN EMERGENCY.

WHEREAS, the City of Wellston has adopted legislation establishing a Building Department and seeking certification from the State of Ohio to enforce the Building Code for nonresidential structures; and

WHEREAS, the City of Wellston, upon receiving certification, desires to contract with Ross County to provide building inspection services and plan approvals; and

WHEREAS, this matter constitutes an emergency as the implementation of the enforcement of the building codes within the City of Wellston is necessary to protect the health, safety and welfare of the City.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Wellston, Ohio as follows:

Section 1: The Mayor and Clerk is hereby authorized to execute an Agreement similar in substance to the Agreement as attached and as it may be revised upon further agreement with Ross County, and all other required agreements, consents or documents necessary to permit Ross County to manage the building code inspections and approvals of plans for nonresidential structures within the City; and

Section 2: This resolution is declared to be an emergency measure for the reasons set forth herein; and

Section 3: This resolution shall take effect and be in full force upon final passage.

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

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 3rd day of October, 2024.



President of Council



ATTEST:

M. Benshangli
Clerk of the Legislative Authority

Approved this 3rd day of October, 2024.

Gross
Mayor

AGREEMENT

THIS AGREEMENT entered into by and between the County Commissioners of Ross, Ohio, hereinafter referred to as the County, acting for and on behalf of the City of Wellston, Ohio, hereinafter referred to as City.

WITNESSETH:

WHEREAS, the City desires to enforce the Building Code of Ohio for the purpose of providing uniform standards and requirements for the erection, construction, repair, alteration, and maintenance of non-residential buildings defined by section 3781.06(C)(10) of the Revised Code of Ohio; and

WHEREAS, the City seeks to obtain the authority for enforcement of the provisions of the Nonresidential Building Code of Ohio through certification by the Ohio Board of Building Standards pursuant to Section 3781.10(E) of the Revised Code, with the condition that the City of Wellston Building Department exercise the enforcement authority and accept and approve plans and specifications, and make inspections in accordance with the nonresidential Code of Ohio;

WHEREAS, the said Board of Building Standards has certified the City Building Department to exercise enforcement authority in accordance with the Nonresidential Building Code of Ohio, now in effect and as may be revised hereafter, as set forth in said Board's certification rule; and

WHEREAS, the City desires and is willing to administer and enforce the Nonresidential Code of Ohio within the limits of said City pursuant to its authority so to do contained in Chapter 3781 of the Revised Code of Ohio and as granted by the Ohio Board of Building Standards; and

WHEREAS, the City has heretofore passed its Ordinance No. 2024-68 on the 3rd day of October, 2024, authorizing the City through its Mayor, Anthony Brenner and its Clerk, Kathy Speraw, to enter into an agreement with Ross County, for the enforcement of the Building Code of Ohio for nonresidential structures within the limits of said City; and

WHEREAS, the County has on the _____ day of _____ 2024 adopted its resolution authorizing the County to enter into said agreement with the City of Wellston for the purposes aforesaid;

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. The City hereby grants to the County, authority to do all things necessary to exercise enforcement authority and to accept and approve plans and specifications and make inspections necessary with the City, in accordance with the provisions of the Building Code of Ohio for nonresidential structures pursuant to Ohio Administrative Code 4101 :1 - as promulgated by the Ohio Board of Building Standards, and shall apply and be enforced within the City.

2. The CITY accepts the authority and responsibility to carry out the terms of this agreement.

3. The COUNTY shall have full authority to do all things necessary to administer and enforce the Building Code of Ohio for nonresidential structures within the limits of the City of Wellston and in consideration therefore, the County of Ross, shall retain all permit and inspection fees authorized by the State of Ohio for such purposes.

4. The effective date for which the COUNTY shall begin to perform its duties under the terms of this agreement shall be the date of certification by the Ohio Board of Building Standards, and this agreement shall thereafter continue in full force and effect until either of the parties shall give written notice to the other and the Board of Building Standards of its intention to terminate the agreement, which may be for any reason, except that this agreement shall not terminate until the effective date of repeal of the rule of conditional certification by the Board of Building Standards.

5. The City of Wellston hereby agrees to hold Ross County harmless from all claims or causes of action of every kind and nature arising from the acts of the County, its agents, or employees, or representatives in the administration and enforcement of the Residential Code of Ohio within the limits of Wellston, Ohio.

6. This agreement shall be deemed to authorize Ross County to administer and enforce for the City of Wellston any amendments or additions to the Building Code of Ohio for nonresidential structures hereafter adopted by the Board of Building Standards pursuant to the authority granted by said Board by Chapter 3781 of the Revised Code of Ohio at all times after said Board shall have adopted such amendments or additions.

IN WITNESS WHEREOF, we have hereunto set our hands to this agreement
this 3rd day of October, 2024.

SIGNED IN THE PRESENCE OF:

PLW
Karen P. Boch

(CITY. CITY. TOWNSHIP, COUNTY APPLICANT)

Ese
(Mayor, County Commissioners)
M. Bepkobaugh
(Clerk)



(CERTIFIED CITY. CITY. TOWNSHIP.
COUNTY)

SIGNED IN THE PRESENCE OF:

(Mayor, County Commissioners)

(Clerk)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

(Legal Counsel- City, city, township, county applicant)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

(Legal Counsel- certified City, city, township, county)