

RESOLUTION NO. R02-01 CMS

A RESOLUTION OPPOSING A PROPOSED LAW IN THE OHIO LEGISLATURE (H.B. 403A) WHICH WOULD REQUIRE LOCAL GOVERNMENTS TO PERMIT THE LOWEST GRADE OF CONSTRUCTION QUALITY IN ANY MULTI-FAMILY BUILDING CONSTRUCTION IN THE STATE OF OHIO AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio classifies building construction by five major categories from Type 1 being the most safe from spreading fires to Type V being the least safe from spreading fires; and

WHEREAS, the law presently allows municipalities to adopt the type of construction which will ensure the safety of the building's occupants given the local conditions; and

WHEREAS, the less fire resistant the buildings are in a community, the more taxpayers dollars the local community must spend for fire protection; and

WHEREAS, a proposed law (H.B. 403A) now pending in the Ohio Legislature would permit Type V, the lowest and least fire protective grade of construction would be dictated on local communities everywhere in Ohio; and

WHEREAS, from a business point of view, the relatively small cost, if any, of making the building safe by using fire resistant construction materials is completely offset by lower insurance and maintenance costs; and

WHEREAS, the Oberlin City Council believes H.B. 403A erodes the "Home Rule" status of a municipality and precludes a municipality from having the option of requiring higher building standards where such has been determined to be necessary for the health and welfare of the community.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OBERLIN, COUNTY OF LORAIN, STATE OF OHIO, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the Council of the City of Oberlin urges the Ohio Legislature to allow communities to maintain local control by rejecting H.B. 403A.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or 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.

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City of Oberlin, Ohio

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, and safety of the citizens of the City of Oberlin, to wit:

“to notify the State Legislature of the City of Oberlin's opposition to H.B. 403A in a timely fashion”,

and shall take effect immediately upon passage.

PASSED: 1st Reading – January 7, 2002 (E)
2nd Reading -
3rd Reading -

ATTEST:

Crystal Howard
CLERK OF COUNCIL

William J. ...
CHAIR OF COUNCIL

POSTED: January 8, 2002

EFFECTIVE DATE: January 8, 2002