

AMENDED ORDINANCE NO. 16-84

BY:

John H. Henke

An Ordinance to require installation of smoke detectors in certain buildings and to declare an emergency.

WHEREAS, the Ohio Basic Building Code requires installation of smoke detectors in certain residential occupancy classifications but exempts existing buildings; and

WHEREAS, the City of Columbus has recently adopted similar legislation for certain existing multi-family buildings; and

WHEREAS, the City of Bexley has a significant number of existing multi-family dwelling structures that do not presently have smoke detectors; and

WHEREAS, the evidence confirming the value of smoke detectors in safeguarding life continues to accumulate in the results of a number of national studies. NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That all existing dwelling occupancies, as defined by the Ohio Basic Building Code, Article 2, OAC 4101:2-2-01 with the exception of dwellings listed in Section 3, shall be provided with a minimum of one UL approved smoke detector in the sleeping area, guest room or suite of hotel, motel, lodging house, boarding house, tourist house, dormitory or multi-family apartment house. Each detector shall be installed by the owner of each dwelling in accordance with the National Fire Protection Association (NFPA) standards 72E-78 and 74-80. The owner or manager of each dwelling shall, upon the initial installation of each detector and upon the change of occupancy of each dwelling unit by a resident or tenant, have the resident or tenant inspect each installed detector to see if the detector is operational. If the detector is operational, the resident or tenant shall sign a form as prescribed in Section 2 of this ordinance. The owner or manager of each dwelling unit shall keep a copy of each signed form on file and make it available for inspection by the City. Thereafter, the resident or tenant of each dwelling unit in a multi-family apartment house shall be responsible for making inspections of installed detectors to see if the detector is operational. If the detector is found to be inoperable, the resident or tenant shall give the owner or manager of the multi-family apartment written notice of the inoperability of the detector. The owner or manager shall be responsible for repairing or replacing an inoperable detector within seventy two (72) hours of receipt of a resident's or tenant's written notice that it is inoperable. The owners or their managers of all other dwellings other than a multi-family apartment house or dormitory required to install smoke detectors by this section shall be responsible for making not less than monthly inspections of the installed detectors for operationability and for the maintenance of the installed detectors.

Section 2. The forms required in Section 1 above shall list the date, address and name of the responsible resident or tenant, and the following acknowledgement: "I have inspected the smoke detector(s) in my dwelling unit and found it to be operational. I understand that I am responsible for making periodic inspections of the detector(s) to see if the detector is operational. If the detector is found to be inoperable, I understand that I must give the owner or manager a written notice of the inoperability of the detector and that the owner or manager shall be responsible for repairing or replacing an inoperable detector within seventy two (72) hours of receipt of my written notice. I also understand

that it is illegal to tamper or interfere with the proper operation of a smoke detector."

Section 3. One and two family dwellings and multiple single family dwellings as defined by the Ohio Basic Building Code, Article 2, OAC 4101:2-2-01 shall be exempt from these requirements for existing buildings.

Section 4. Owners of existing dwelling occupancies, as listed in Section 1 above, shall comply with the requirements of this ordinance no later than ninety (90) days after its passage and approval by the Mayor or as otherwise directed by City Council.

Section 5. Anyone tampering or interfering with the proper operation of a smoke detector shall be in violation of this ordinance.

Section 6. Whoever violates or fails to comply with any of the provisions of this ordinance is guilty of minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation or non-compliance occurs or continues.

Section 7. That this ordinance is an emergency ordinance necessary for the immediate preservation of the public peace, health and safety and shall go into effect upon its passage and approval by the Mayor.

Passed: April 24, 1984

[Signature]
President of Council

Attest:

[Signature]
Clerk of Council

March 27, 1984 - First reading
April 10, 1984 - Second reading
April 24, 1984 - Third reading
Ordinance amended
Adopted

Approved: April 04, 1984

[Signature]
David H. Madison,
Mayor