

ORDINANCE NO. 41, 2011

AN ORDINANCE REQUESTING CERTIFICATION TO ENFORCE THE PLUMBING CODE OF OHIO VIA THE VILLAGE OF ST. BERNARD STATE CERTIFIED BUILDING DEPARTMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Municipality chooses to regulate the construction, repair, alteration and maintenance of all buildings within the Municipality; and

WHEREAS, the Ohio Constitution requires that the exercise of police powers by Ohio municipalities be in compliance with State law; and

WHEREAS, the City of St. Bernard is now officially the Village of St. Bernard; and

WHEREAS, the Village of St. Bernard no longer has a Health District which previously enforced the Ohio Plumbing Code; and

WHEREAS, the Village of St. Bernard intends to transfer enforcement of the Ohio Plumbing Code to the Village of St. Bernard's Certified Building Department; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ST. BERNARD, STATE OF OHIO:

Section 1. That Ohio Administrative Code 4101:3 – the Ohio Plumbing Code, as promulgated by the Ohio Board of Building Standards is hereby enforced by the State Certified Building Department of the Village of St. Bernard and that all personnel shall hold the appropriate certifications necessary for the enforcement of said Code.

Section 2. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety. The reason for the emergency is that there exists an imperative necessity for the earliest transfer of enforcement authority of the State Plumbing code, so as to facilitate administration, daily operation and avoid practical and legal entanglements, including conflict with State law. Therefore, this Ordinance shall take effect immediately by and upon its passage and the approval of two- thirds of the members of said Council and effective date of certification issued by the Ohio Board of Building Standards. However, this Ordinance shall take effect on the earliest date provided by law if approved by no more than a majority of the members of Council and in that event the emergency provisions herein are set at naught.

Section 3. The said clerk is further directed to publish this Ordinance No. 41, 2011.

Passed this 16th day of June, 2011.

C. Curt Wall
President of Council

ATTEST: M. Sue Kathan
Clerk of Council

Approved this 16th day of June, 2011.

Bill Burkhardt
Mayor

I, M. SUE KATHMAN, CLERK OF COUNCIL, VILLAGE OF ST. BERNARD, STATE OF OHIO, DO HEREBY testify that the publication of Ordinance No. 41, 2011, was made by posting true copies of the same in the most public places designated by Council: St. Bernard Square Bus Stop; Vine Street and Washington Avenue; Bertus Street Park; Greenlee Avenue and Johnson Alley; Park on Heger Drive; each for a period of fifteen (15) days or more commencing 6.16, 2011.

ATTEST: M. Sue Kathman DATE 6.16.2011
Clerk of Council

Approved as to form Kate Radigan Date 6.16.2011
Director of Law

Attest:
Clerk: M. Sue Kathman

I, M. Sue Kathman, Clerk of the Village of St. Bernard do hereby certify this to be a true and correct copy of Ordinance No. 41, 2011, duly passed by the Legislative Authority of the Village of St. Bernard on this 16th day of June, 2011.

M. Sue Kathman
Clerk