

**CODIFIED ORDINANCES OF SHEFFIELD VILLAGE**  
**PART FIFTEEN - FIRE PREVENTION CODE**

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**Chap. 1501. Ohio Fire Code.**



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**CHAPTER 1501**  
**Ohio Fire Code**

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**CROSS REFERENCES**

See sectional histories for similar State law  
 Appeals of orders - see Ohio R.C. 119.12  
 State certification of firefighters - see Ohio R.C. 737.08, 737.22, 3737.33  
 State certification of Fire Safety Inspectors - see Ohio R.C. 3737.01(C), 3737.34  
 Fire investigation - see Ohio R.C. 737.27, 3737.24 et seq.  
 Entry and Inspection - see Ohio R.C. 737.34 et seq., 3737.14, 3737.41, 3737.42  
 Common Pleas Court jurisdiction - see Ohio R.C. 3737.44(A), 3737.51(H)  
 Ohio Fire Code - see Ohio R.C. 3737.82 et seq.; OAC Ch. 1301:7-1 et seq.  
 Fire extinguishing and alarm systems in rest and nursing homes - see Ohio R.C. 3721.071  
 Self-service filling stations - see Ohio R.C. 3741.14  
 Fireworks exhibitions - see Ohio R.C. 3743.50 et seq.

**1501.01 ADOPTION.**

There is hereby adopted by Sheffield Village, the current Ohio Fire Code as adopted by the Ohio Division of State Fire Marshal, Department of Commerce of the State of Ohio. (Ord. 2441. Passed 6-9-14.)

**1501.02 PURPOSE.**

The purpose of the Ohio Fire Code as adopted herein is to prescribe minimum standards and regulations governing conditions hazardous to life and property from fire or explosion. (Ord. 2441. Passed 6-9-14.)

**1501.03 APPLICATION.**

The Ohio Fire Code as adopted herein applies to the use of all lands and properties within Sheffield Village. (Ord. 2441. Passed 6-9-14.)

**1501.04 ENFORCEMENT.**

(a) No person shall serve as Municipal Fire Safety Inspector unless he has received a certificate issued by the State Board of Emergency Medical Services under former Ohio R.C. 3303.07 or 4765.55 evidencing his satisfactory completion of a fire safety inspection training program. (ORC 3737.34)

(b) For Municipal criminal proceedings, the complaint, warrant or summons, or the issuance of a citation in minor misdemeanor cases shall be, as is prescribed in the Ohio Rules of Criminal Procedure, by referencing the numerical designation of the applicable Municipal ordinance, including the specific provision of the Ohio Fire Code, or any order issued pursuant thereto, provided such order fixes a reasonable time for abatement of the violation. State enforcement proceedings for violation of Ohio R.C. Chapter 3737 or the Ohio Fire Code shall be as is prescribed in Ohio R.C. 3737.41 to 3737.46.

(c) A copy of such complaint or citation shall be prominently posted at or near each place a violation referred to occurs.

(d) Upon request of the Municipal Fire Safety Inspector, the Municipal Legal Officer shall institute and prosecute any necessary action or proceeding to enforce this chapter or Ohio R.C. Chapter 3737.

**1501.05 COMPLIANCE.**

(a) No person shall knowingly violate any provision of the Ohio Fire Code as adopted herein or any order issued pursuant thereto.  
(ORC 3737.51(A))

(b) No person shall fail to comply with the fire prevention measures or fire protection activities as prescribed in the Ohio Fire Code, or fail to obtain a permit or license for the various uses or activities as required by such Code, or fail to comply with the Municipal application and plan submission and processing requirements including payment of the fees designated therefor.

**1501.06 POSTING ARSON LAWS.**

The owner, operator or lessee of any transient residential building shall post the provisions of Ohio R.C. 2909.02 and 2909.03 in a conspicuous place in each room occupied by guests in such building. The owner, operator or lessee of any nontransient residential building, institution, school or place of assembly shall post the provisions of such sections in conspicuous places upon such premises. No person shall fail to comply with this section.  
(ORC 3737.61)

**1501.07 SETTING FIRES WHICH SPREAD.**

No person shall set, kindle or cause to be set or kindled any fire, which through his negligence, spreads beyond its immediate confines to any structure, field or wood lot.  
(ORC 3737.62)

**1501.08 UNFRIENDLY FIRES IN BUILDING; ALARM DUTIES.**

(a) The owner, operator or lessee, an employee of any owner, operator or lessee, an occupant, and any person in direct control of any building regulated under the Ohio Basic Building Code, upon the discovery of an unfriendly fire, or upon receiving information that there is an unfriendly fire on the premises, shall immediately, and with all reasonable dispatch and diligence, call or otherwise notify the Fire Department concerning the fire, and shall spread an alarm immediately to all occupants of the building.

(b) For the purposes of this section, "unfriendly fire" means a fire of a destructive nature as distinguished from a controlled fire intended for a beneficial purpose.

(c) No person shall fail to comply with this section.  
(ORC 3737.63)

**1501.09 DISCLOSURE OF TRUE FIRE SAFETY INSPECTOR STATUS.**

No person who is not a certified Fire Safety Inspector shall act as such or hold himself out to be such, unless prior to commencing any inspection function, he discloses the purpose for which he is making such inspection and the fact that he is not employed by any state or local fire service or agency, and that he is not acting in an official capacity for any governmental subdivision or agency.  
(ORC 3737.64)

**1501.10 FIRE EQUIPMENT SALE OR USE; CERTIFICATION OF INSTALLERS.**

(a) No person shall sell, offer for sale, or use any fire protection or fire fighting equipment that does not meet the minimum standards established by the Ohio Fire Marshal in the Ohio Fire Code.

(b) Except for public and private mobile fire trucks, no person shall service, test, repair or install for profit any fire protection or fire fighting equipment without a certificate issued by the Ohio Fire Marshal.  
(ORC 3737.65)

**1501.11 COPIES.**

Copies of Codes as adopted in this chapter are on file with the Council Clerk for inspection by the public, and also on file in the County Law Library, and the Clerk has copies available for distribution to the public at cost.

**1501.12 CONFLICT.**

(a) The rules of the Ohio Board of Building Standards including the Ohio Basic Building Code shall supersede and govern any order, standard or rule of the Department of Commerce, Division of State Fire Marshal including the Ohio Fire Code, in all cases where such orders, standards or rules are in conflict with such rules or the Ohio Basic Building Code, except that rules adopted and orders issued by the State Fire Marshal pursuant to Ohio R.C. Chapter 3743 entitled "Fireworks" prevail in the event of conflict.  
(OAC 4101:2-1-04(B))

(b) In all other cases of conflict between the Ohio Fire Code and any other Municipal ordinance or technical code adopted thereby, the more restrictive provision shall govern.

**1501.13 RESPONSIBILITIES OF FIRE PREVENTION OFFICER, CERTIFIED MUNICIPAL FIRE SAFETY INSPECTORS AND VILLAGE SOLICITOR.**

(a) The Fire Prevention Officer and/or Certified Municipal Fire Safety Inspectors shall enforce this Fire Prevention Code.

(b) Upon request of the Fire Prevention Bureau, the Village Solicitor may institute and prosecute any necessary action or proceeding found advisable to enforce this Fire Prevention Code.  
(Ord. 1170. Passed 6-24-91.)

**1501.14 AMENDMENTS.**

The Ohio Fire Code, as adopted in Section 1501.01, is hereby supplemented for purposes of this Fire Prevention Code as follows:

(a) A permit is needed for all bulk L.P. gas installations having an aggregate water capacity greater than 150 gallons made at buildings in which people congregate for political, civic, educational, religious, social or recreational purposes. Such buildings shall include schools, churches, hospitals, clinics, institutions, hotels and restaurants, each having a capacity of twenty or more persons.

- (b) A permit is required for new installation of fire alarm, detection or fire suppression systems or for enlarging or extending existing systems.  
(Ord. 1170. Passed 6-24-91.)

#### **1501.15 MODIFICATIONS.**

The Fire Chief shall have the authority to grant a variance from any of the provisions of this Fire Prevention Code upon application, in writing, by an owner or lessee or his or her duly authorized agent, when there are practical difficulties in the carrying out of the strict letter of the Code, provided that the spirit of the Code is observed, public safety secured and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the Fire Chief thereon, shall be reviewed by a minimum of two Village Fire Department Certified Municipal Fire Safety Inspectors, and if both agree, the variance/modification shall be granted. All decisions must be in writing and entered upon the records of the Fire Department.  
(Ord. 1170. Passed 6-24-91.)

#### **1501.16 PERMITS AND FEES.**

All permits required by this Fire Prevention Code may be issued upon payment to the Fiscal Officer of the fee set forth in this section, provided that the application for the permit is approved by the Bureau of Fire Prevention.

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|-----|---------------------------------------|---|
| (a) | Permits for fire protection systems   | \$200.00 + \$4.50 per<br>100 square feet        |
| (b) | Permits for fire alarm systems        | \$200.00 + \$4.50 per device                    |
| (c) | Permits for underground storage tanks | \$100.00 per tank +<br>\$1.00 per 1,000 gallons |
| (d) | Permits for aboveground storage tanks | \$75.00 per tank +<br>\$1.00 per 1,000 gallons  |
| (e) | Permits for kitchen hood systems      | \$75.00   |
- (Ord. 2639. Passed 7-23-18.)

#### **1501.17 DETECTION, ALARM AND SPRINKLER SYSTEMS.**

(a) In any structure that is required by the Ohio Basic Building Code to be protected by a manual or automatic fire detection, fire alarm and/or sprinkler system, such system shall be designed and installed so that when activated an alarm will automatically be transmitted to the existing alarm board located at the Police and Fire Dispatch Office or to an approved private monitoring agency which meets or exceeds all nationally recognized standards, subject to the following exceptions.

- (1) Limited area sprinkler systems consisting of ten or fewer sprinkler heads totally; and
- (2) Range hood and food preparation centers.

(b) Maintenance of systems shall be the responsibility of the occupancy, i.e. the owner or the lessee who or which is alarmed.

(c) The Village shall not be responsible for any maintenance or malfunction of any system. (Ord. 1170. Passed 6-24-91.)

(d) Each individual occupancy unit in a multiple occupancy building that requires or has a sprinkler system, shopping malls, strip shopping centers and industrial parks shall have a separate water source for its sprinkler system and a separate monitored alarm. (Ord. 1746. Passed 10-28-99.)

### **1501.18 REMOTE PUMPING SYSTEMS.**

Remote pumping systems utilizing submersible pumps shall not be used for Class I flammable liquids, as the same are defined in the Ohio Fire Code adopted in Section 1501.01 of this Fire Prevention Code. Pumps for such liquids shall be at the dispensing end of any system rather than at the source.

### **1501.99 PENALTY**

#### **(a) Criminal Penalties.**

- (1) Whoever violates Section 1501.05(a) is guilty of a misdemeanor of the first degree. (ORC 3737.99(B))
- (2) Whoever violates Sections 1501.05(b) or 1501.06 is guilty of a minor misdemeanor. (ORC 3737.99(C))
- (3) Whoever violates Sections 1501.07 or 1501.09 is guilty of a misdemeanor of the fourth degree. (ORC 3737.99(D))
- (4) Whoever violates Sections 1501.08 or 1501.10 is guilty of a misdemeanor of the third degree. (ORC 3737.99(E))

#### **(b) Civil Penalties.**

- (1) Any person who has received a citation for a serious violation of the Ohio Fire Code or any order issued pursuant to it, shall be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each such violation.
- (2) Any person who has received a citation for a violation of the Ohio Fire Code or any order issued pursuant to it, and such violation is specifically determined not to be of a serious nature, may be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each such violation.
- (3) Any person who fails to correct a violation for which a citation has been issued within a period permitted for its correction, may be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each day during which such failure or violation continues.
- (4) Any person who violates any of the posting requirements, as prescribed by Section 1501.04(c), shall be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each violation.
- (5) Due consideration to the appropriateness of the penalty with respect to the gravity of the violation, the good faith of the person being charged, and the history of the previous violations shall be given whenever a penalty is assessed under this chapter.
- (6) For purposes of this section, a serious violation shall be considered to exist if there is a substantial probability that an occurrence causing death or serious physical harm to persons could result from a condition which exists, or from one or more practices, means, methods, operations or processes which have been adopted or are in use, unless the person did not and could not with the exercise of reasonable diligence, know of the presence of the violation.



- (7) Civil penalties imposed by this chapter shall be paid to the Municipal Chief Fiscal Officer for deposit into the General Revenue Fund. Such penalties may be recovered in a civil action in the name of the Municipality brought in the Court of Common Pleas.  
(ORC 3737.51(B) to (H))

(c) The Village Solicitor, immediately upon a violation of this Fire Prevention Code having been called to his or her attention, may institute an action of injunction, mandamus or abatement concerning any violation of this Code. This may be done in addition to prosecuting any violation of this Code.

(d) In addition to the penalties provided herein, the Fire Chief may suspend or revoke any permit issued under any of the provisions of this Code.  
(Ord. 1170. Passed 6-24-91.)