

REQUESTED BY:  
FORTE - MINER - SAFFOLD  
WHITE - MACPHERSON - RUCKER  
JOHNSON - HERMAN - GREATHOUSE

LAW DEPARTMENT  
DRAFT NO. 0306

TITLE

AN ORDINANCE FOR THE PURPOSE OF REPEALING AND REENACTING SECTION 1375.08 SMOKE DETECTORS REQUIRED OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN FOR THE PURPOSE OF PROHIBITING THE LEASING OR CONTINUED LEASING THEREAFTER OF ANY DWELLING, OR PART THEREOF, THAT DOES NOT HAVE AT LEAST ONE INTERACTIVE SMOKE DETECTOR ON EACH AND EVERY FLOOR OF THE DWELLING AND DECLARING AN EMERGENCY.

ORDINANCE NO. 13168/2022

WHEREAS, the existence of smoke alarms in dwellings greatly promotes the health, safety, and welfare of those dwelling therein and their neighbors and guests; and

WHEREAS, Ohio Revised Code 3781.01 Municipal Corporation may make additional regulations;

- (A) Chapters 3781. and 3791. of the Ohio Revised Code do not prevent the legislative authority of a municipal corporation from making further and additional regulations, not in conflict with those chapters or with the rules the board of building standards adopts. Those chapters or rules do not modify or repeal any portion of any building code adopted by a municipal corporation and in force on September 13, 1911, that is not in direct conflict with those chapters or rules.
- (B) The state residential building code the board of building standards adopts pursuant to section 3781.10 of the Revised Code does not prevent a local governing authority from adopting additional regulations governing residential structures that do not conflict with the state residential building code.

WHEREAS, Section 1375.08 (Ordinance #12000/06), requires smoke detectors, which conflicts with the Ohio Revised Code, Ohio Building Code, and the Residential Code of Ohio;

WHEREAS, Section 1375.08 of the Codified Ordinances needs to be reenacted to reflect Ohio Revised Code 3781.01; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That, Section 1375.08 of the Warren Codified Ordinances shall be repealed in its entirety.

Section 2: That, Section 1375.08 of the Codified Ordinances of the City of Warren, Ohio shall be reenacted to require building owners to install, in any dwelling unit that is let to another, single and multiple station smoke alarms in accordance with the most current adopted provisions of the Ohio Building Code and Residential Code of Ohio as follows:

"1375.08 SMOKE ALARMS REQUIRED.

Smoke alarm requirements within the City of Warren shall comply with the most current editions of the Ohio Building Code and the Residential Code of Ohio."

Section 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare, and safety, and for the further reason that the conflict between Statute and Ordinance needs resolved without undue delay. WHEREFORE, this Ordinance shall take effect and be in force from and after the date of its passage by a vote of two-thirds of all members elected to Council and approval by the Mayor.

Passed in Council this 26TH day of OCTOBER, 2022.

SIGNED: [Signature]  
PRESIDENT OF COUNCIL

ATTEST: [Signature]  
CLERK

FILED WITH THE MAYOR: 10-26-2022

DATE APPROVED: 10-26-2022

[Signature]  
MAYOR, CITY OF WARREN, OHIO