

FIRST READING: 10.11.21
SECOND READING: 10.25.21
THIRD READING: 11.8.21

ORDINANCE NO. 72-21

BY: CHRISTINA MORRIS

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 1340 – SMOKE AND CARBON MONOXIDE (CO) DETECTOR REQUIREMENTS FOR LEASED AND RENTED PROPERTIES, OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 1340.03 ENTITLED “STANDARDS FOR THE INSTALLATION OF CARBON MONOXIDE DETECTORS”, SECTION 1340.04 ENTITLED “STANDARDS FOR THE MAINTENANCE AND USE OF SMOKE AND CARBON MONOXIDE DETECTORS”, AND SECTION 1340.05 ENTITLED “TAMPERING PROHIBITED”, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”

WHEREAS: the Administration of the City of Rocky River, has deemed it necessary to amend specific sections of Chapter 1340 of our Codified Ordinances regarding smoke and carbon monoxide (CO) detector requirements for leased or rented properties; and

WHEREAS: it is the desire of the Administration and Council of the City of Rocky River that Sections 1340.03, 1340.04, and 1340.05 of the Codified Ordinances of the City of Rocky River concerning smoke and carbon monoxide (CO) detector requirements for leased or rented properties be amended, as further described in the attached Exhibit “A”.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That Sections 1340.03, 1340.04, and 1340.05 of the Codified Ordinances of the City of Rocky River entitled “Standards for the Installation of Carbon Monoxide Detectors”, “Standards for the Maintenance and Use of Smoke and Carbon Monoxide Detectors” and “Tampering Prohibited”, respectively, be amended as further described in the attached Exhibit “A”.

SECTION 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: November 8th, 2021


JAMES W. MORAN
President of Council

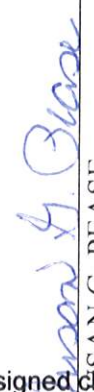
PRESENTED

TO MAYOR: November 8th, 2021 APPROVED: November 8th, 2021

WITNESSETH:

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 8th day of November, 20 21.


Clerk of Council of the City of Rocky River, Ohio


SUSAN G. PEASE
Clerk of Council


PAMELA E. BOBST
City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 72-21 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 8th DAY OF November, 20 21 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF ARE OF RECORD IN ORDINANCE RECORD NO. 72-21

See A backup\Ordinances\Cover Ordinance for Sections 1340.03-1340.05
IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 8th DAY OF November, 20 21.


CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

1340.03 STANDARDS FOR THE INSTALLATION OF CARBON MONOXIDE DETECTORS.

Carbon monoxide detectors/alarms shall be installed and maintained in accordance with the codes adopted, Chapter 9 of the Ohio Building, Chapter 11 of the Ohio Fire Code and the manufactures instructions. The detector/alarms shall meet and conform to UL 217, UL 2034, UL 2075 and NFPA 720 as applicable, and be installed and maintained in accordance with the manufacturer's instructions.

- (a) Every dwelling unit shall be equipped with at least one carbon monoxide detector/alarm in an operating condition within 15 feet of every room used for sleeping purposes: detection/alarms outside of separate sleeping areas in the immediate vicinity of the bedrooms. Where a fuel-burning appliance is located within a bedroom or its attached bathroom, carbon monoxide detection shall be installed within the bedroom.
- (b) The City of Rocky River reserves the right to make exceptions to the standards for installation of carbon monoxide detectors/alarm in dwelling units that:
 - (1) Do not rely on combustion of fossil fuel for heat, hot water or to cook
 - (2) Is not connected in any way to an attached garage
 - (3) Is not sufficiently close to any source of carbon monoxide so as to receive carbon monoxide from that source.

(Ord. 72-21. Passed 11-8-21.)

1340.04 STANDARDS FOR THE MAINTENANCE AND USE OF SMOKE AND CARBON MONOXIDE DETECTORS.

- (a) It is the responsibility of the owner of a structure to supply and install all required detectors/alarms. It is the responsibility of the tenant to test and to provide general maintenance for the detectors/alarms within the tenant's dwelling unit and to notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct. The owner is responsible for providing one tenant per dwelling unit with written information regarding detector/alarm testing and maintenance.
- (b) The tenant is responsible for the replacement of any required batteries in the detectors/alarms in the tenants dwelling unit, except that the owner shall insure that the batteries are in operating condition at the time the tenant takes possession of the dwelling unit. The tenant shall provide the owner or the authorized agent of the owner with access to the dwelling unit to correct any deficiencies in the detectors/alarms that have been reported in writing to the owner or the authorized agent of the owner
- (c) Combination smoke/carbon monoxide detector/alarms are allowed as long as the unit emits an alarm that clearly differentiates between the smoke or carbon monoxide hazard.
- (d) The smoke and carbon monoxide detectors/alarms required may be either battery powered, plug-in with battery back-up, or hard wired into the structure's AC power line with secondary battery back-up in accordance with ~~electrical codes~~ building and fire codes.

(Ord. 72-21. Passed 11-8-21.)

1340.05 TAMPERING PROHIBITED

- (a) No person shall, without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with a smoke or carbon monoxide detector/alarm required to be installed pursuant to the provisions of this chapter so as to destroy or diminish its effectiveness or availability for its intended purpose.

- (b) Any smoke detector/alarm which is missing a battery or has an inoperable battery shall be replaced by the responsible party with a tamper-proof smoke detector/alarm with a sealed battery.

(Ord. 72-21. Passed 11-8-21.)