

**AN ORDINANCE
AMENDING SECTION 1503.07 OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS TO
REQUIRE THE INSTALLATION OF PHOTOELECTRIC
SMOKE ALARMS IN NEW DWELLINGS AND DWELLING
UNITS, AND DECLARING AN EMERGENCY.**

WHEREAS, Section 1503.07 of the Codified Ordinances requires the owner of each new and existing dwelling unit to install smoke detectors at the direction of the Fire Chief, members of the Bureau of Fire Prevention, Building Inspector, or Assistant Building Inspector, upon the commencement of construction or alteration of bedrooms, basements or garages; and

WHEREAS, the Village Fire Chief and the Village Fire Marshal are recommending changes to Section 1503.07 to require the installation of photoelectric smoke alarms; and

WHEREAS, research has shown that a photoelectric smoke alarm, in a smoldering fire producing thick dense choking smoke, outperforms a non-photoelectric smoke alarm; and

WHEREAS, a photoelectric smoke alarm, in a smoldering fire, can alert a warning signal 12-30 minutes faster than a non-photoelectric smoke alarm; and

WHEREAS, the Village Fire Chief and the Village Fire Marshal recommend that homeowners change their smoke detectors to a photoelectric smoke alarm as such a change can save lives; and

WHEREAS, this Council, for the public safety reasons established by the Village Fire Chief and the Village Fire Marshal, desire to amend Section 1503.07 to require the installation of photoelectric smoke alarms in new dwellings and dwelling units.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That existing Section 1503.07, Smoke Detectors; Installation Required, of the Codified Ordinances of the Village of Chagrin Falls be, and the same is hereby amended to read and provide, in its entirety, as follows:

- “1503.07 PHOTOELECTRIC SMOKE ALARMS; INSTALLATION REQUIRED.**
- (a) Owners of each new and existing One-, Two- and Three-family Dwelling, as defined by the *Residential Code of the Village of Chagrin Falls for One-, Two- and Three-family Dwellings*, shall install photoelectric smoke alarms whenever any one or more of the following circumstances occur, except as provided in Section R313.1.1 of the *Residential Building Code of Ohio for One-, Two- and Three-family Dwellings*, which is incorporated herein by reference: 1) a new dwelling or dwelling unit is constructed; 2) interior alterations, repairs or additions requiring a permit are undertaken; and/or 3) when one or more sleeping rooms are added to or created in an existing dwelling. The photoelectric smoke alarms shall be located as required by the *Residential Code*

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of the Village of Chagrin Falls for One-, Two- and Three-family Dwellings and the Village Fire Code. All new photoelectric smoke alarms shall be continuously powered using 110 volts AC or power provided from an UL approved alarm panel specifically intended to power and monitor smoke alarms. All smoke alarms shall be provided with battery backup in case of the loss of primary AC power to the building and shall be interconnected so as to emit an alarm signal at all smoke alarm locations within the dwelling unit upon activation of any single smoke alarm. All smoke alarms shall be UL Listed and installed in accordance with the household fire warning provisions of NFPA 72 and the manufacturer's instructions. No occupancy permit shall be granted until compliance with this section is determined by the Fire Chief of the Fire Department, the Officer in Charge of the Bureau of Fire Prevention, any member of the Bureau of Fire Prevention, the Building Inspector or the Assistant Building Inspector.

- (b) Photoelectric smoke alarms shall be installed in the following locations:
- (1) In each sleeping room.
 - (2) Outside each separate sleeping area.
 - (3) On each additional story of the dwelling, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
- (c) Whoever violates any provisions of this section shall be guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00), or imprisoned not more than thirty days, or both. On a second or subsequent offense, such person is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both. Each day of a continuing violation shall be deemed to be a separate offense."

SECTION 2. That existing Section 1503.07, Smoke Detectors; Installation Required, of the Codified Ordinances of the Village of Chagrin Falls, and any other ordinance in conflict herewith, be and the same are hereby repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.


SECTION 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 5. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of this Village and for the further reason that this Ordinance must be immediately effective so that the Village may immediately require the installation of photoelectric smoke alarms in new dwellings and dwelling units as

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photoelectric smoke alarms save lives by providing warning signs of a smoldering fire significantly earlier than non-photoelectric smoke alarms; wherefore, provided it receives the requisite number of affirmative votes of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

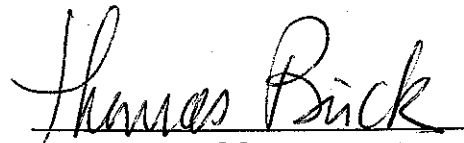
PASSED: January 24, 2011



Council President

Submitted to the Mayor for
his approval on this
25 day of January, 2011

Approved by the Mayor
January 25, 2011



Mayor

I hereby certify that Ordinance No. 2011- 06 was duly enacted on the 24 day of January, 2011, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



Clerk of Council