

VILLAGE OF LOCKLAND, OHIO
ORDINANCE # 2026 - 42

**AN ORDINANCE AMENDING LOCKLAND CODE OF
ORDINANCES, PART 16, FIRE PREVENTION CODE,
INCLUDING CHAPTER 1610, OHIO FIRE CODE,
CHAPTER 1620, SMOKE DETECTORS,
AND DECLARING AN EMERGENCY**

- WHEREAS,** Part 16 of the Lockland Code of Ordinances, the “Fire Prevention Code,” consists of three chapters: Chapter 1610, Ohio Fire Code; Chapter 1620, Smoke Detectors; and Chapter 1630, Notice Required for Structures with Truss-Type Roof Construction; and
- WHEREAS,** the “Fire Prevention Code” currently in effect under Part Sixteen adheres to the 2005 version of the Ohio Fire Code, and otherwise has existed many years without updates in a number of areas; and
- WHEREAS,** the Fire Chief has reviewed the currently adopted version of the Fire Prevention Code, and the current applicable laws, codes, and regulations within the state of Ohio, and recommends the adoption of the changes herein; and
- WHEREAS,** the Village desires to, with certain exceptions set forth herein, adopt the Ohio Fire Code and provide for its application to the Village of Lockland Fire Prevention Code as provided for in Ohio Revised Code Section 731.231; and
- WHEREAS,** Chapter 1620 regarding smoke detectors will now be adequately covered and regulated within the laws and regulations adopted pursuant to the new Chapter 1610, thereby necessitating repeal of the current Chapter 1620; and
- WHEREAS,** the Village Council finds that it is necessary and beneficial to the Village to bring the Village’s Fire Prevention Code current, consistent with the recommendations of the Fire Chief; now therefore,

BE IT ORDAINED by the Council of the Village of Lockland, State of Ohio, that:

SECTION I Part Sixteen of the Village of Lockland Code of Ordinances, Fire Prevention Code, Chapter 1610 is hereby amended as shown on Exhibit A, attached hereto and incorporated by reference herein; and

SECTION II Part Sixteen of the Village of Lockland Code of Ordinances, Fire Prevention Code, Chapter 1620 is hereby amended as shown on Exhibit A, attached hereto and incorporated by reference herein; and

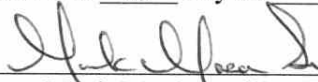
SECTION III

Part Sixteen of the Village of Lockland Code of Ordinances, Fire Prevention Code, Chapter 1630 shall remain as written; and

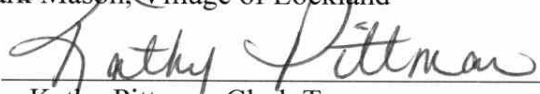
SECTION IV

This ordinance is hereby declared to be an emergency measure necessary to preserve the health, safety and general welfare of the Village of Lockland and its citizens. The reason for said emergency is the need to bring the Village's fire prevention regulations up to current practices as soon as possible. Therefore, this ordinance shall become effective immediately.

Passed this 10th day of August, 2026.



Mayor Mark Mason, Village of Lockland

Attested: 

Kathy Pittman, Clerk Treasurer

EXHIBIT A
to Ord. # 2026 - 42

INSERT EXHIBIT A CODE PT 16 FIRE PREVENTION CODE AMENDMENTS

VILLAGE OF LOCKLAND, OHIO
CODE OF ORDINANCES
PART SIXTEEN - FIRE PREVENTION CODE

CHAPTER 1610: OHIO FIRE CODE

- 1610.01 Adoption by reference**
- 1610.02 Purpose**
- 1610.03 Application of Code**
- 1610.04 Enforcement; responsibilities of Municipal Fire Safety Inspector**
- 1610.05 Compliance required**
- 1610.06 Posting arson laws**
- 1610.07 Setting fires which spread**
- 1610.08 Responsibilities upon discovery of unfriendly fires**
- 1610.09 Inspections**
- 1610.10 Sale and use of fire equipment; standards; service and repair of equipment**
- 1610.11 File and distribution copies**
- 1610.12 Conflicts of laws**
- 1610.13 Permit fees**
- 1610.14 Appeals**
- 1610.99 Penalty**

§ 1610.01 ADOPTION BY REFERENCE.

~~Pursuant to Ohio R.C. § 731.231, the 2005 Ohio Fire Code (OFC) as adopted by the Ohio Department of Commerce, Division of the State Fire Marshal, and as published in the Ohio Administrative Code (O.A.C. 1301:7-7-01 et seq.), which is based on the 2003 International Fire Code published by the International Code Committee, is hereby adopted by the Village of Lockland.~~

The Village of Lockland, Ohio, hereby adopts by reference the most current edition of the Ohio Fire Code, Ohio Administrative Code Section 1301:7 and the appendices, as promulgated by the Ohio Department of Commerce, Division of State Fire Marshal ("SFM"), and subsequent versions as it may be subsequently amended from time to time by the SFM, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion within the Village, except where such code is modified or amended by this Code of Ordinances.

EXHIBIT A
to Ord. # 2026 - 42

The Ohio Fire Code, Ohio Administrative Code Section 1301:7, and appendices in its entirety except for that provided for in 1610.01(a) and otherwise modified by this Code of Ordinances, are hereby adopted and incorporated as fully as if set out at length herein, from the date on which this chapter shall take effect, the provisions hereof shall be controlling within the limits of the Village of Lockland, Ohio.

- (a) Appendix A101 the Ohio Fire Code concerning the establishment of a board of appeals by the local jurisdiction shall not be adopted.

§ 1610.02 PURPOSE.

The purpose of the Ohio Fire Code as adopted in § 1610.01, is to prescribe minimum standards and regulations governing conditions hazardous to life and property from fire or explosion.

§ 1610.03 APPLICATION OF CODE.

The Ohio Fire Code, as adopted in § 1610.01, applies to the use of all lands and properties within the municipality and such other lands or properties owned by the municipality which are situated outside the corporate limits thereof.

§ 1610.04 ENFORCEMENT; RESPONSIBILITIES OF MUNICIPAL FIRE SAFETY INSPECTOR.

- (a) The Fire Chief and his or her designees, upon proper qualifications herein, shall be considered the “Municipal Fire Safety Inspector” for purposes of the Village Fire Prevention Code, Section 16. No person shall serve as a Municipal Fire Safety Inspector unless he or she holds certification through the Ohio Department of Public Safety Division of EMS as a Fire Safety Inspector and has been authorized by the Fire Chief.~~has received a certificate issued by the Ohio Superintendent of Public Instruction under Ohio R.C. § 4765.55 evidencing his or her satisfactory completion of a fire safety inspection training program.~~
- (b) The Municipal Fire Safety Inspector, upon investigation or inspection, shall issue a notice of violation to the responsible person when he or she finds conditions as specified in Ohio R.C. § 3737.41, or violations of this Chapter, and shall make any necessary remedial orders in connection therewith, fixing a reasonable time for abatement of the violation.
- (c) No person shall fail to comply with the necessary remedial orders issued pursuant to this Chapter within the time fixed for abatement, as set forth in a notice of violation.
- (d) The Municipal Fire Safety Inspector, after investigation or inspection, may issue a citation to the responsible person for any violation of this Code, the Ohio Fire Code; of any order issued by the Ohio Fire Marshal; of any order, including any notice of violation, issued by any Municipal Fire Safety Inspector; or of Chapter 1620. The offense stated in each such citation shall be subject to the penalty set forth in § 1610.99(a)(5).

EXHIBIT A
to Ord. # 2026 - 42

- (e) Each citation, or a copy thereof, shall be prominently posted by the responsible person, as prescribed by this Code as adopted under 1610.01 ~~the Ohio Fire Code~~, at or near each place a violation referred to in the notice of violation or citation occurs. Any person who violates the posting requirements of this division shall be subject to the penalty provided in § 1610.99~~(a)(5)~~.
- (f) Nothing in this section shall be construed to abridge the powers of the Fire Chief, as Chief, Fire Marshal, and/or Fire Safety Inspector, or his or her duly designated representative, as otherwise provided for the in Lockland Code of Ordinances. The Municipal Fire Safety Inspector may issue a citation for any violation of § 452.13(e) of these Codified Ordinances concerning the parking of vehicles in an appropriately designated fire lane or fire zone; or § 452.03(a)(4) and (10) of these Codified Ordinances concerning, respectively, parking within ten feet of a fire hydrant, and within 20 feet of a driveway entrance to any fire station or within 75 feet of such entrance on the opposite side of the street from any fire station, when such street is properly posted.
- (g) Upon the request of the Municipal Fire Safety Inspector, the Village Solicitor shall institute and prosecute any necessary action or proceeding, including the procedures set forth in Ohio R.C. § 3737.44, to enforce the provisions of this chapter or Ohio R.C. Chapter 3737.
- (h) The Village Administrator is hereby authorized and directed to supply the Municipal Fire Safety Inspector with notice of violation forms and citation tags for the purpose of enforcing this chapter. The citation tags shall direct the responsible person to appear and present the tag at the Mayor's Court at a date and hour to be specified thereon, but shall also advise such person that in lieu of appearing at the time and place stated for a violation ~~of division (f)~~, the person may sign the guilty plea and waiver of trial provision on the citation and mail the citation and a check or money order for the total amount of the fine to the Mayor's Court.
- (i) Nothing in this section shall be construed to abridge the powers of a police officer.

§ 1610.05 COMPLIANCE REQUIRED.

- (a) No person shall knowingly violate any provision of the Ohio Fire Code as adopted herein or any order issued pursuant thereto.
- (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 comply with the municipal application and plan submission and processing requirements, including payment of the fees designated therefore.

§ 1610.06 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.

§ 1610.07 SETTING FIRES WHICH SPREAD.

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

§ 1610.08 RESPONSIBILITIES UPON DISCOVERY OF UNFRIENDLY FIRES.

- (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.

§ 1610.09 INSPECTIONS.

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

§ 1610.10 SALE AND USE OF FIRE EQUIPMENT; STANDARDS; SERVICE AND REPAIR OF EQUIPMENT.

- (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 State 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 or a provisional certificate issued by the State Fire Marshal pursuant to Ohio R.C. § 3737.65.

§ 1610.11 FILE AND DISTRIBUTION COPIES.

To the extent that it is available to the Village from the State, a copy ~~Copies~~ of the regulations adopted under Ohio Fire Code and the International Fire Code, as adopted in § 1610.01, are is on file with the Village Clerk of Council for inspection by the public. ~~Copies are also on file in the Hamilton County Law Library. A copy of said code is available to the public any time at cost, upon request made to the Fire Chief of the Village. Copies of certain regulations adopted herein~~ may be purchased from the publisher.

§ 1610.12 CONFLICTS OF LAWS.

- (a) The Ohio Basic Building Code shall supersede and govern any order, standard, rule or regulation of the Ohio Fire Code or the Division of State Fire Marshal, Department of Commerce, in all cases where any such order, standard, rule or regulation is in conflict with the Ohio Basic Building Code.
- (b) In all other cases of conflict between the Ohio Fire Code and any other municipal ordinance or technical code adopted thereby, the stricter standard shall control.

§ 1610.13 PERMIT FEES.

~~The fee for all permits issued by the Fire Chief or the Municipal Fire Safety Inspector pursuant to the Ohio Fire Code shall be \$5 each.~~

Council shall, by ordinance, and upon recommendation by the Fire Chief, establish and update as necessary, a schedule of fees, charges, and expenses and a collection procedure pertaining to the administration and enforcement of the Village's Fire Prevention Code, Part 16.

§ 1610.14 APPEALS.

Appeals made by any party aggrieved by the enforcement of the Codes adopted herein may appeal to the Ohio Board of Building Appeals pursuant to R.C. 3781.19, according to the laws, regulations and rules established for said board for perfecting such appeal.

§ 1610.99 PENALTY.

- (a) Criminal penalties. Any person, firm or corporation violating any of the provisions of this chapter or failing to comply with any order issued pursuant to any section thereof not otherwise provided for elsewhere in the Code, shall be guilty of a minor misdemeanor. Any repeated offense not otherwise provided for elsewhere in the Code shall constitute a fourth-degree misdemeanor. Each day that a violation continues, after a service of notices or citations provided for in this Code, shall be deemed a repeated offense.
- (1) ~~Except as a violation of Ohio R.C. § 2923.17 involves subject matter covered by the State Fire Code and except as such a violation is covered by Ohio R.C. § 3737.66, whoever violates § 1610.05(a) is guilty of a misdemeanor of the first~~

EXHIBIT A
to Ord. # 2026 - 42

~~degree and shall be fined not more than \$1,000 or imprisoned not more than six months, or both.~~

- ~~(2) Whoever violates §§ 1610.05(b) or 1610.06 is guilty of a minor misdemeanor and shall be fined not more than \$100.~~
- ~~(3) Whoever violates §§ 1610.07 or 1610.09 is guilty of a misdemeanor of the fourth degree and shall be fined not more than \$250 or imprisoned not more than 30 days, or both.~~
- ~~(4) Whoever violates §§ 1610.08 or 1610.10 is guilty of a misdemeanor of the third degree and shall be fined not more than \$500 or imprisoned not more than 60 days, or both.~~
- ~~(5) Whoever receives a citation pursuant to § 1610.04(d) or violates or fails to comply with § 1610.04(e) or (e) is guilty of a minor misdemeanor and shall be fined not more than \$100. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.~~
- ~~(6) Whoever violates §§ 452.13(e), 452.03(d) or 452.03(j) of the Traffic Code, and is cited therefore as provided in § 1610.04(f), is guilty of a minor misdemeanor and shall be fined not more than \$500. The court shall accept a plea of guilty, waiver of trial and payment of \$15 in lieu of appearance in the Mayor's Court.~~

(b) Civil penalties.

- (1) No person shall violate any provision of the state fire code or any order made pursuant to it.
- (2) Except as provided in section 3737.07 of the Revised Code, any person who has received a citation for a serious violation of the fire code or any order issued pursuant to it, may be assessed a civil penalty of not more than one thousand dollars for each such violation.
- (3) Except as provided in section 3737.07 of the Revised Code, any person who has received a citation for a violation of the 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 for each such violation.
- (4) Except as provided in section 3737.07 of the Revised Code, any person who fails to correct a violation for which a citation has been issued within the period permitted for its correction, may be assessed a civil penalty of not more than one thousand dollars for each day during which such failure or violation continues.
- (5) Except as provided in section 3737.07 of the Revised Code, any person who violates any of the posting requirements, as prescribed by section 1610.06(e) of this Chapter and by division (D) of section 3737.42 of the Revised Code, may be assessed a civil penalty of not more than one thousand dollars for each violation.

EXHIBIT A
to Ord. # 2026 - 42

- (6) 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 previous violations shall be given whenever a penalty is assessed under this chapter.
- (7) 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.
- (8) Civil penalties imposed by this chapter shall be paid to the Village for deposit into the general revenue fund. Such penalties may be recovered in a civil action in the name of the Village brought in the court of common pleas of the county where the violation is alleged to have occurred.
- ~~(1) Any person who has received a citation for a serious violation of the Ohio Fire Code or any order issued pursuant to it may be assessed a civil penalty of not more than \$1,000 for each such violation.~~
- ~~(2) Any person who has received a citation for a violation of the Ohio Fire Code for 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 \$1,000 for each such violation.~~
- ~~(3) Any person who fails to correct a violation for which a citation has been issued within the period permitted for its corrections may be assessed a civil penalty of not more than \$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 § 1610.04(e), may be assessed a civil penalty of not more than \$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 previous violations shall be given whenever a penalty is assessed under this chapter or Ohio R.C. Chapter 3737.~~
- ~~(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 under this chapter or Ohio R.C. Chapter 3737 shall be paid to the Clerk of Council for deposit into the general fund. Such penalties~~

~~may be recovered in a civil action in the name of the municipality brought in the Court of Common Pleas.~~

CHAPTER 1620: SMOKE DETECTORS

1620.01 Smoke detectors in residential structures

1620.02 Smoke detectors in multi-family structures

1620.03 Prohibited sales

1620.04 Applicability

1620.99 Penalty

§ 1620.01 SMOKE DETECTORS IN RESIDENTIAL STRUCTURES.

All new buildings and structures, including buildings and structures the construction of which has commenced, which are 35 feet or less in height and in which sleeping accommodations are provided by the owners, users or occupants thereof, shall be provided with approved automatic alarms and detectors of smoke and the products of combustion, installed and maintained in accordance with the 1974 National Fire Protection Association Pamphlet No. 74, to provide level four protection. Nothing in this section, however, shall be construed to excuse the compliance with more stringent requirements which are imposed upon buildings or structures by provisions of the Building and Housing Code, or by other provisions of this Fire Prevention Code, including the Ohio Fire Code adopted in § 1610.01, or by state law.

§ 1620.02 SMOKE DETECTORS IN MULTI-FAMILY STRUCTURES.

- (a) All buildings containing more than one dwelling unit, including those defined as two-family, multi-family and apartment dwellings, shall have a minimum of one smoke detector installed adjacent to the outside of sleeping rooms in each dwelling unit.
- (b) The smoke detector system shall consist of an Underwriters Laboratories, Factory Mutual or Underwriters Laboratories of Canada approved detector system, sensitive to visible and invisible products of combustion and providing a suitable alarm thereof, except that detectors sensitive to heat only are not acceptable.
- (c) For the purpose of installation and maintenance only, the applicable sections of National Fire Protection Association Pamphlet Nos. 71, 72A, 72B, 72C, 72D and 74 shall apply.
- (d) All alarm sounding devices shall be rated not less than 85 decibels at ten feet and shall be able to sound this level of warning for a minimum of four continuous minutes.
- (e) Smoke detectors shall be installed in all buildings containing more than one dwelling unit, including those defined as two-family, multi-family and apartment dwellings, hereafter constructed. All existing multi-family and apartment buildings shall, within one year of the effective date of this section, be made to comply with these requirements.
- (f) All persons affected by the requirements of this section shall produce evidence of compliance, either by affidavit or by inspection, in January of each year, or at such other

and reasonable times that the Fire Chief or the Municipal Fire Safety Inspector determines.

§ 1620.03 PROHIBITED SALES.

No person shall sell, within the municipality, any smoke detector unless such detector meets the standards set forth in this chapter. An Underwriters Laboratories (UL) label or Factory Mutual label, indicating that the smoke detector is listed as an approved fire alarm device, is satisfactory evidence that the detector meets the requirements of this section.

§ 1620.04 APPLICABILITY.

This Chapter 1260 shall apply only to those structures and premises to which similar regulations applicable to smoke detectors found in the Code sections adopted under 1610.01, do not apply, due to the structures and/or premises predating the adoption of the most current version of the Fire Code.

§ 1620.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a minor misdemeanor and shall be fined not more than \$500 for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

****** CHAPTER 1630: NOTICE REQUIRED FOR STRUCTURES WITH TRUSS-TYPE ROOF CONSTRUCTION, omitted herein, shall remain as written.***