

**ORDINANCE REVIEW COMMITTEE  
MEETING MINUTES  
Mayfield Village  
March 10, 2009**

The Ordinance Review Committee met in regular session on Tuesday, March 10, 2009 at 5:00 p.m. at the Mayfield Village Civic Center, Loft Conference Room. Bill Marquardt presided.

**Roll Call:** Mr. Bill Marquardt  
Mr. Wes Marrotte  
Mr. Jerry Catalano

**Absent:** Mrs. Mary Ann Wervey  
Mr. John Marrelli

**Also Present:** Assistant Law Director Ms. Diane Calta  
Fire Lieutenant Mr. Michael Girbino  
Secretary Ms. Deborah Garbo

**CONSIDERATION OF MEETING MINUTES:** **February 10, 2009**

There being no additions, deletions or corrections, the meeting minutes of February 10, 2009 stand as written.

**SWEARING IN**

New ARB Representative Committee Member; Mrs. Mary Ann Wervey out of town. Swearing In postponed to next meeting date.

**PROPOSALS**

- 1. Bldg; Garbage Disposals & Incinerators;** Chapter 1345
- 2. Bldg; Insulation Requirements;** Chapter 1339
- 3. Bldg; Business Regulation Code;** Part Seven; Law Department to create Fee Schedule
- 4. Bldg; Transportation of Radioactive Materials;** Chapter 747; Section 747.01 (a)
- 5. Finance; Hotel / Motel Admissions Tax;** Chapter 173
- 6. Fire; Fire Prevention Code;** Part Fifteen; 1501.13 & 1501.15
- 7. Fire; Ohio Fire Code**
  - Amend (AA) 1027 to create New Section 1027.3.1; Floor Proximity Exit Signs
  - Create New Section 1028.8; Mistaken Egress

**OPEN PORTION**

**Garbage Disposals & Incinerators**

**Chapter 1345  
&  
Insulation Requirements  
Chapter 1339  
&  
Transportation of Radioactive Materials  
Chapter 747; Section 747.01 (a)**

Mr. Marquardt called the meeting to order. From what I see it looks like we should drop this Chapter 1345 all together.

**DECISION**

**Mr. Marrotte, seconded by Mr. Marquardt made a motion to repeal Chapter 1345 in its entirety.**

Mr. Marquardt asked, any discussion? I think it's just superseded by the Federal Laws.

Ms. Calta suggests motion should include repeal of Chapter 1339 as well.

Mr. Marquardt doesn't know why it's obsolete for the Insulation. Does that mean that Insulation is superseded by something?

Lt. Girbino said they now use the Residential Building Code that's adopted by the State.

Mr. Marquardt asked what "may be obsolete" means in referring to Transportation of Radioactive Materials. Diane, do you have any idea?

Ms. Calta said there's a Federal Letter Carrier's Safety Act that's referred to in here, so it's probably governed by those Federal provisions. I'll have to look more closely at that to be able to tell you one way or another. You may want to keep it on the books.

Mr. Marquardt suggests putting something on the books that references something instead of having to update it all the time.

Lt. Girbino refers to 747.05 STORAGE PROHIBITED. Wouldn't that be something also covered by the Transportation Act?

Ms. Calta said no. The Federal Act is really meant to apply to Interstate Commerce. The question is what is Interstate Commerce? Interstate Commerce is assigned to be just about anything and everything. That doesn't mean that you don't want something local on the books. I'll look at the Federal Act.

Mr. Marrotte asked about these applying to the medical practices within the Village. In other words, if we have a medical facility going in, are they in keeping with this?

**Consensus: More information is needed on #4; Transportation of Radioactive Materials.**

**Mr. Marrotte, seconded by Mr. Catalano made a motion to repeal Chapter 1339 in its entirety.**

Mr. Marquardt asked, any discussion on 1345 or 1339? There was none.

**ROLL CALL**

Ayes: Mr. Marquardt, Mr. Marrotte, Mr. Catalano

Nays: None

**Motion Carried  
Recommendation to Council  
Delete Chapters 1345 & 1339 in their entirety.**

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**Business Regulation Code**

Part Seven; Law Dept to create Fee Schedule

Ms. Calta said I just sent that over today. I started to put together a fee schedule. I did the same thing that we did with the building code fees. I set up a separate chapter. I made all the subchapters. Under there I went through and put in all the permit fees and any bond or insurance requirements.

Mr. Marquardt suggests putting everything all in one instead of splitting it up this much.

Ms. Calta said that's a thought especially since there aren't very many. Good idea.

**Consensus: John Marrelli to review for input.**

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**Hotel / Motel Admissions Tax**

Chapter 173

Mr. Marquardt said at present our rate of 3% looks reasonable and comparable with other communities per Dave Miller. Does anyone have any comments on this?

Mr. Marrotte asked if the Village collects tax on the paid admissions in the Civic Center, the \$8, \$10 & \$12 admissions. It also says you have to have a permit. Does Fairmount have a permit to charge admissions?

Ms. Calta said I think right now the Village is working with Fairmount to see if they want to move forward on a more formal basis.

Mr. Marrotte asked, how much longer does the free ride last?

Ms. Calta said I'll ask Dave Miller what we collect on event admissions.

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Mr. Marquardt said you might extend that and say; If we're holding events, are we bound by any other laws or regulations, State Laws or anything else. Insurance is one of them.

**Consensus: We're o.k. with the Hotel Tax but need more information on the Admissions Tax.**

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**Fire Prevention Code**

Part Fifteen; 1501.13 & 1501.15

&

**Ohio Fire Code**

Lt. Girbino said what we're looking to do here is creating a couple new sections within our fire prevention code and doing a clean up as well.

**1501.15** This proposed language would officially recognize the Bureau of Fire Prevention within the Fire Department. To date we really don't have any such language. The Bureau of Fire Prevention has unofficially existed since 1996. It gives it some substance.

**1501.13** Some of these amendments need to be altered or deleted. It also includes two new amendments to the existing Ohio Fire Code as adopted by the Village. F 412.0 is an old section number that no longer exists in the Ohio Fire Code. It's replaced with 1301:7-7-05 (F) 506.3. That's the current section of the Ohio Fire Code that deals with Key Boxes. So (F) 506.3 would be amended and the language would follow. We have adopted the Ohio Fire Code by Ordinance and this is adding this addition to that language. This language was retained because it is a bit more stringent than the State Code and is beneficial to the community.

Mr. Marquardt asked, what is in the Ohio Fire Code and what are we adding to it?

Lt. Girbino said the Ohio Fire Code gives us the ability to require Key Boxes to be installed but doesn't give specifics as to what kind of keys can be put in there. Generally it says a key to provide access to the structure but our local Ordinance provides for specific different keys to elevator controls, mechanical equipment rooms, etc. This (C) 506.3.3 individual items language is not in the existing Ohio Fire Code.

Mr. Marrotte asked, this Key Box is locked and you have a key to it?

Lt. Girbino said yes, this is a commercially made device manufactured by the Knock Company. It's a wall mounted vault. Every city across the country that uses their system is assigned a key code. These keys cannot be duplicated. We asked, each Fire Truck carries the key? Lt. said yes. Every vehicle has it and each key is electronically locked in a special place. You're not allowed to take that key out unless the Dispatcher broadcasts a series of tones over the radio. It's very secure.

Mr. Catalano said at the Club in Eastlake, we have a Knock Box at the entry into the property. In that Box during a season, to operate the gate, is a gate card and house card. There are also mechanical keys in that Knock Box for every facility we have on the property. Same thing with

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Sima Marine, they also have keys for every one of the storage buildings. The Fire Dept has a key to get into that vault.

Lt Girbino said the real issue of changing some of this language we have in the Ordinance was to give us some flexibility of requiring more keys than just enter keys.

Mr. Marrotte asked if this would apply to a locked external facility that you might have to get into, i.e. the CEI Substation.

Lt. Girbino said that's a place I wouldn't want to go in until CEI got there, even if there was a fire. It's very dangerous in there.

Mr. Marrotte asked, how about a gas well?

Lt. Girbino said the pump equipment is usually secured by a fence with a pad lock, we'd just cut it. If we had to get in we wouldn't worry about the lock. We're more concerned with the structures that are occupied. If we can get in there easily and quickly without doing a whole lot of extra damage especially if we're investigating an alarm which we don't have a confirmed fire and we want to get access to the fire alarm panel and sprinkler riser than these keys are important.

#### **F 504.4 Lighting is now 1006.1 Illumination Required.**

(A) 1006.1.1 is language we currently have which is not included in the existing Fire Code. The rest of this section is redundant and I'm calling for deletion.

Mr. Marquardt said I have one comment, "**adequately lighted**". How does somebody comply with the word adequate?

Lt. Girbino said that's up to the Code Official.

Mr. Marquardt said but somebody is designing something to meet the thing. "**Adequately**" is really loose.

Lt. Girbino said within the Fire & Bldg Code there are prescriptive requirements for the amount of light that emergency lights must produce. There's floor level illumination and certain levels that have to be maintained. That's design requirements from the Bldg Code and that's duplicated in the Fire Code later on in that section as well.

Mr. Marquardt said this is a maintenance type of thing. A possibility might be that you refer that it shall be maintained in accordance to the original design specifications.

Lt. Girbino said I see your point.

**(F) 1028.8 Mistaken Egress.** Lt. Girbino said this is a new section. This was a section that was included in the 2000 Ohio Fire Code. This, like a lot of the other sections that were once in that

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code were dropped or eliminated for any number of reasons. Our local group of inspectors from Northeast Ohio Fire Prevention is working in getting some of this language reinstated. This might be one that might end up back in the State Code. This is a great section and it was useful in helping enforce clear egress. There's language in the existing Ohio Fire Code that deals with other issues, but nothing this specific. I thought this was something good that could be added back. The value of this section in protecting the means of escape from a building is valuable.

Mr. Marquardt asked, does this mean that you're supposed to mark doorways if this is not an exit?

Lt. Girbino said it's trying to say that any door that can be mistaken for an exit door has to be identified. It's something that's not uncommon, especially in new ones that have been renovated or remodeled. It's a good maintenance tool. It eliminates confusion for occupants.

**(F) 1027.3 Floor Proximity Exit Signs.** This is adding a new section for exit signage. It would require floor proximity exit signs in certain applications in existing buildings where the exit signage is obstructed due to partitions, portable office walls, etc. The references to the different sections here 1027.3, 1027.4, & 1011.5 are actual sections within the Fire Code that deal with illumination.

Mr. Marquardt asked, any discussion on this?

**Consensus: Lt Girbino to alter "adequately lighted" section (A) 1006.1.1. Fire Prevention Code & Ohio Fire Code consideration next meeting.**

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## **CONCLUSION**

Mr. Marrotte asked Lt. Girbino a general question. Are you supposed to be able to see an exit sign wherever you might be in an auditorium or a place of congregation? If I'm sitting in the back of the theatre am I supposed to be able to see an exit sign?

Lt. Girbino said most of the time, yes. It depends how old the building is. If it's existing and it has been existing in that capacity, unchanged for a period of time, and whether or not anything has been altered in that space. Number of Occupants is another thing that comes into play. Generally yes, you need to be able to clearly see the path of exit. I hope that answers your question.

Mr. Marrotte said I asked because the way this was worded about the floor signage, one gets the impression that the actual exit sign was obscured and if it's down on the floor, somebody sitting 15 feet away might not be able to see either of them.

Lt. Girbino said floor proximity signage is something that's becoming more and more prevalent. You have your required exit signs that are visible on top and they put these signs down at floor level as well. The thinking is when you're making an exit when the building is on fire, people should be hitting the floor and crawling out. As the smoke starts to build to the

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ceiling, it doesn't take long for it to pass that level where those exit signs are. So they are obscured even though there is clean air at that level below. This gives them a clear shot at the floor as they're starting to get out. It's not to say that the exit signs that are there can remain obstructed because they can't. The Fire Code requires those to be visible. We would require those to be maintained as much as we can but this would give us the ability to further mark the signage if it's confusing or obscured in some manner.

Mr. Marquardt asked, any other business? There was none.

**ADJOURNMENT**

Mr. Catalano, seconded by Mr. Marrotte made a motion to adjourn the meeting.

**ROLL CALL**

Ayes: All

Nays: None

**Motion Carried**

**Meeting adjourned at 5:45 p.m.**

Respectfully Submitted,

Deborah Garbo

Executive Assistant

Building Department