



ORDINANCE REVIEW MEMO

The information contained in this memo is advisory only. Neither the Indiana Department of Homeland Security nor staff of the Fire Prevention and Building Safety Commission (Commission) have the authority to approve or deny ordinances or other regulations adopted by a political subdivision that qualify as fire safety or building laws. The decision to approve or deny ordinances or other regulations is left to the Commission.

The following review has been completed by Commission staff:

Ordinance Number and Political Subdivision:

Ordinance No. 855
Building Code of the Town of Building Code of Ogden Dunes, Indiana

Date of Adoption:

Monday, November 4, 2019

Date of Submission:

Received Friday, January 24, 2020

Date of First Appearance on Meeting Agenda:

February 4, 2020

Fire Safety or Building Law?

Yes.

Does this Ordinance follow the template?

Yes. This ordinance largely follows the Commission's building code ordinance template.

Fire Safety or Building Laws that are in conflict or more stringent than the Commission's rules.

None. This ordinance largely follows the Commission's building code ordinance template. Commission staff only identified a couple of minor editorial errors throughout the ordinance. There are two editorial errors in the last sentence of the first paragraph of Section 156.10 – Issuance of Building Permit. The word "personal" should be revised to state "person," and the word "of," after the word "cause," should be revised to state "a." The Town of Ogden Dunes should fix these editorial errors for clarity, but these errors do not rise to the level of conflict with the Commission's rules.

This ordinance does not include the provisions provided under Article V, Section 2 – Lifting Devices Located within a Private Residence, as provided in the Commission's building code ordinance template. However, omission of these provisions in the adopted ordinance does not explicitly prevent/prohibit the jurisdiction's obligation to comply with and enforce statewide requirements.

Staff Review Recommendations:

Based on its review, Commission staff recommends that the Commission **approve** this ordinance.