

Ordinance No. 897-2020

By Council Member Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

To repeal Section 381.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2392-02, passed February 3, 2003; to supplement the Codified Ordinances by enacting new Section 381.06 relating to fire protection systems; and to authorize the Director of Public Safety to enter into one or more contracts with IROL Operations Inc. for professional electronic data manager services and other professional services related to implementing this ordinance.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Section 381.06, Fees for Certificates of Qualification, as amended by Ordinance No. 2392-02, passed February 3, 2003 is repealed.

Section 2. That the Codified Ordinances are supplemented by enacting new Section 381.06 to read as follows:

Section 381.06 Fire Protection Systems

(a) *Definitions.* For the purposes of this section,

(1) "Commercial building" means every structure or any appurtenances connected or attached thereto, except for detached one-, two-, or three-family dwellings and structures accessory to those dwellings.

(2) "Electronic commercial building reporting system" means the web-based program administered and maintained by the third-party service provider for submissions of the building risk assessments required under division (d) of this section and registrations of persons or entities performing testing, repair, or maintenance, and submissions of their inspection and testing reports, required under division (e) of this section.

(3) "Fire protection system" means every standpipe installation, yard hydrant system, automatic sprinkler installation, or installation of other automatic fire extinguishing equipment, electrically operated interior fire alarm system and automatic fire detecting system.

(4) "Impairment coordinator" means the owner or other person designated by the owner who is in charge of the fire protection system.

(5) "Third-party service provider" means the organization or entity that has contracted with the City to administer, update, maintain, and assist with documents on the electronic commercial building reporting system.

(6) "Owner" means the person, partnership or corporation that holds title to the commercial building.

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(b) *Responsibility.* Every fire protection system shall be under the responsible charge of the impairment coordinator who shall be familiar with the operation of the fire protection systems in his or her charge.

(c) *Maintenance.* The impairment coordinator shall ensure that the systems, whether required or not, are maintained in proper operating condition at all times in accordance with the Ohio Fire Code.

(d) *Building Risk Assessment for Commercial Buildings.*

No owner of a commercial building shall fail to electronically submit, to City's third-party service provider through the electronic commercial building reporting system an annual risk assessment for its building; or a new risk assessment within 30 days' after the issuance of a certificate of occupancy establishing a new use. The information to be supplied on the risk assessment shall include the following:

(1) The name, telephone number and email address of the owner or owners of the building. If a partnership, the names, addresses, telephone numbers and email addresses of all general partners. If a corporation, the names, addresses, telephone numbers and email addresses of the current statutory agent and all corporate officers of the corporation. The address for corporations and partnerships shall be the principal place of business and the address for persons shall be the home address;

(2) The name, telephone number and email address of the impairment coordinator, if any;

(3) The address and name, if applicable, of the commercial building;

(4) The types of fire protection systems located at the commercial building; and

(5) Any additional information deemed necessary by the Fire Chief.

(e) *Registration and Electronic Reporting Submittals.* No firm, corporation, or individual doing any testing, repair or maintenance of a fire protection system in, on, or for a commercial building shall fail to electronically register with, and to submit all inspection and test reports relating to the requirements of this Code or the Ohio Fire Code, to City's third-party service provider through the electronic commercial building reporting system within seven days of conducting such inspection and/or testing. The reports shall contain the information, and be in the format, specified by the Chief of Fire through the City's third-party service provider.

(f) *Fees.* Any fees associated with the submittal of any reports or risk assessments required under this section shall be charged by the third-party service provider to the user submitting such documents and shall be at the fee amount specified in the contract between the City and the third-party service provider.

Section 3. That the Director of Public Safety is authorized to enter into one or more contracts with IROL Operations Inc. for professional electronic data manager services and other professional services related to receiving, reviewing, maintaining and

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providing assistance with fire protection system inspection and test reports and risk assessments for commercial buildings in the City, on the basis of its proposal dated November 2, 2020, for the Division of Fire, Department of Public Safety for a period of three years.

Section 4. That division (d) and division (e) of Section 2 of this ordinance shall take effect and be in force one hundred and twenty (120) days and ninety (90) days, respectively, after the effective date of this ordinance.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

SM:nl
11-18-2020
FOR: Director Howard