



Fire Code Appeal Board

Chapter 1501 – Ohio Fire Code

1501.06 DUTIES

A. It is the duty of the Bureau of Fire Prevention to enforce the Fire Prevention Code adopted in Section [1501.01](#) and all laws and ordinances of the State of Ohio and the City of Oberlin relating to fire hazards, fire prevention, fire protection, and fire investigation.

B. Individuals holding the title of Fire Investigator shall complete any and all training required by law pursuant to Ohio R.C. 737.27, as may be amended. The individuals assigned the duties of Fire Investigator shall be chosen by the Fire Chief according to criteria recommended by the State of Ohio.

C. Fire Investigators shall perform all of the duties and requirements as established by Ohio R.C. 737.27, to wit: to be present at all fires; investigate the cause of all fires; examine witnesses or suspects; administer oaths; compel the presence of witnesses, books, papers, or other documents of relevant importance; and, to do and perform all other acts necessary to carry out the effective discharge of the Fire Investigator's duties.

D. Fire Investigators shall have the power to make arrests as is relevant to any fire or explosion being investigated by the Fire Investigator; shall have the right to bear a firearm for the limited and sole purpose of the fire investigation; and enter any building, residence, dwelling or structure which, in the Fire Investigators' opinion, is in danger from fire or explosion. Fire Investigators shall notify all other authorities designated by law to pursue investigations into such matters and cooperate in the collection of evidence and the prosecution of any resulting criminal charges.

(Ord. 03-99AC. Passed 12-1-03.)

E. Fire investigators may administer an oath to any person appearing as a witness before them. No witness shall refuse to be sworn, refuse to testify, disobey an order of a Fire Investigator, or fail or refuse to produce a book, paper, document, or record, regardless of physical form or characteristics, concerning a matter under examination after being summoned by a Fire Investigator to appear before them to give testimony in relation to a matter or subject under investigation. Any such failure or refusal shall be deemed contemptuous conduct.

(Ord. 05-22AC. Passed 5-2-05.)



F. The Bureau shall perform such other duties as are herein required, and as may be assigned by the Fire Chief. (Ord. 03-99 AC. Passed 12-1-03; Ord. 05-22AC. Passed 5-2-05.)

1501.26 APPEALS

A. In order to hear and decide appeals of orders, decisions, or determinations made by the Fire Chief or any Municipal Fire Safety Inspector relative to the application and interpretation of the Fire Prevention Code, there shall be established a Fire Code Board of Appeals. The Fire Chief shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Chief. The Fire Code Board of Appeals shall consist of the Chair of Council, an interested resident and the City Manager.

B. Any person affected by a decision of the Fire Chief or a notice or order issued under this Code shall have the right to appeal to the Fire Code Board of Appeals provided that a written application for appeal is filed within thirty (30) days from the date of the decision, notice or order was served. An application for appeal shall be based on a claim that the intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equivalent method of protection or safety is proposed. The Board shall have no authority to waive requirements of this Code.

(Ord. 02-37 AC CMS. Passed 4-15-02.)