



RESOLUTION 29-2023

OF THE VILLAGE OF ASHVILLE



A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO EXECUTE CONTRACTS FOR RESIDENTIAL AND COMMERCIAL PLANNING & ZONING AND BUILDING SERVICES AND DECLARING AN EMERGENCY.

WHEREAS, THE VILLAGE OF ASHVILLE, OHIO is responsible for providing residential and commercial planning & zoning and building services; and

WHEREAS, Toole and Associates is qualified to offer contracted residential and commercial planning & zoning and building inspection services; and

WHEREAS, engaging the services of Toole and Associates will meet those municipality responsibilities; NOW THEREFORE

BE IT RESOLVED BY THE VILLAGE OF ASHVILLE, OHIO:

SECTION ONE

The Village Administrator and Fiscal Officer are hereby authorized to contract for commercial and residential planning & zoning and building services, Exhibit A.

SECTION TWO

Funding for this agreement will be out of 1000-410-399-0000.

SECTION THREE

That this resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Village and its inhabitants for the reason that there exists an imperative necessity for the earliest passage of this resolution to meet the obligations of the Village and will go into effect immediately upon its passage by Council.

Therefore, this resolution will take immediately upon its passage.

Offered by: R. David Rainey
Seconded to the Motion Offered by: Steve Welsh

Upon roll call on the adoption of the resolution, the vote was as follow:

Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No
Roger L. Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Colton Henson	<input type="checkbox"/>	<input type="checkbox"/>	Randy S. Loveless	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R. David Rainey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Matt Scholl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Steve Welsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Excused Absences

ADOPTED THIS THE 18TH DAY OF DECEMBER, 2023
EFFECTIVE THIS THE 18TH DAY OF DECEMBER, 2023

ATTEST:

April D. Grube, Clerk-Fiscal Officer

DATE: 12/19/2023

APPROVED:

Nelson R. Embrey II, Mayor

DATE: 12/20/2023

Prepared: 11/30/2023
Revised Date:
Review Date:

CERTIFICATE OF RECORDING OFFICER
I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the resolution adopted by the Village of Ashville Council held on 18th day of December 2023, and that I am duly authorized to execute this certificate.



(Original signature of April D. Grube) Clerk-Fiscal Officer
(TITLE)



September 20, 2023

Mayor Nelson Embry
Village of Ashville
200 East Station Street
Ashville, OH 43103-1035

Re: Contract for Residential and Nonresidential Building Department Services

Dear Mr. Christman,

We are pleased to submit this proposal for residential and commercial building department services to The Village of Ashville. We propose to provide the following ongoing services to the Village.

1. **Chief Building Official/Residential Building Official:** The Chief Building Official shall have and maintain all Ohio certifications in accordance with the Ohio Building Code (OBC). The Chief Building Official is responsible for building department administration. The Building Official shall issue Certificates of Plan Approval for Construction, Certificates of Occupancy, and all other orders as may be necessary for enforcement of the OBC. The Chief Building Official oversees all reports required by the State.
2. **Plans Examiner/Residential Plans Examiner:** The Plans Examiner shall have and maintain all Ohio certifications in accordance with the Ohio Building Code (OBC). The primary responsibility of the Plans Examiner is to review residential and commercial building plans and specifications for compliance with the provisions of the OBC and issue a detailed plan review as directed by the OBC.
3. **Building Inspector/Residential Building Inspector:** The Building Inspector shall have and maintain all Ohio certifications in accordance with the Ohio Building Code (OBC). The Building Inspector is responsible for structural and mechanical inspections, investigation and determination of conformance and compliance with all current Ohio building codes and standards. We offer individuals who have multiple residential and commercial certifications which allows for more latitude for the time convenience of the applicant.
4. **Electrical Inspector:** The Electrical Inspector shall have and maintain all Ohio certifications in accordance with the Ohio Building Code (OBC). The Electrical Inspector is responsible for electrical inspections, investigation and determination of conformance and compliance with all current Ohio building codes and standards.
5. **Plumbing Inspector:** The Plumbing Inspector shall have and maintain all Ohio certification in accordance with the Ohio Building Code (OBC). The Plumbing Inspector is responsible for plumbing inspections, investigation and determination of conformance and compliance with all current Ohio building codes and standards.

Toole & Associates
454 East Main Street Suite 236 Columbus, Ohio 43215 (614) 224-2300 fax (614) 233-5812

6. **Walk Thru Plan Review:** Toole & Associates will provide walk thru plan review for those projects deemed necessary by the Chief Building Official and Plans Examiner. Projects of greater complexity that may require extensive coordination between all parties are those seen as having a use for such services. Walk-thru plan review is scheduled with the Chief Building Official and Plans Examiner and generally occur in the offices of Toole & Associates. Depending on the scope of the project there may or may not be issued a plan review at the time of the walk-thru.

7. **Plan Review:** It is the goal of Toole & Associates to provide timely plan review to all applicants equally. The Village of Ashville shall forward the plans to Toole & Associates offices via UPS or local courier. We make every effort to complete commercial plan review within 10 working days of receipt of application in our office and residential plan review within 3 working days. Upon completion we will return the review to the building department either via local courier or UPS. Toole & Associates is required by the Ohio Board of Building Standards to complete all plan review in the order received and acknowledges we have up to 30 days after an application has been made to issue our review.

8. **Professional Liability Insurance:** Toole & Associates shall carry Professional Liability Insurance and will provide a copy of that policy to the Village of Ashville. The Village of Ashville will provide Toole & Associates a copy of Ashville's Liability Insurance Policy, or risk sharing arrangement, as applicable. Each party agrees to waive claims for inconsequential damages. Inconsequential damages being defined as under \$200.00 per incident.

9. **Monthly Invoices:** Invoices are provided monthly by the 10th of the following month for all services performed. The Village shall review each invoice and authorize payment within thirty calendar days. Questions regarding items invoiced shall be resolved within fifteen calendar days of invoice receipt, and a replacement invoice will be submitted if required. All unpaid invoices that are past due will incur interest charged at 10% annual rate.

10. **Duration of Agreement:** This agreement shall be ongoing. No services can be provided without a contractual agreement in place. Adjustments in labor and/or expense rates may only be made at the end of a calendar year and agreed to by each party. Should either the Village of Ashville or Toole & Associates choose to end the contract, a minimum of 30 days' notice in writing is required.

11. This Agreement shall be construed and enforced under the laws of the State of Ohio, Franklin County. Each provision of this Agreement shall be separable. If any provision of this Agreement is found to be void or unenforceable, the balance of the Agreement shall remain in full force and effect.

12. **Rates:** The current rates for 2023 and 2024 are listed below:

Residential Plan Review – New Build		
Residential Plan Review – Additions/Alterations		
Plans Examiner Commercial:		
Inspection Services:	\$ 70.00 / Hour	
Certificate of Occupancy Issuance	\$ 45.00 each	
Year End BBS Report	\$100.00	
Direct Expenses:		
Mileage (Rate directed by IRS adjusted as they do) for CBO Services	\$0.585 (IRS)	
Postage and delivery	Actual Cost + 20%	
	Actual Cost + 20%	

Services may include:

Residential and Nonresidential inspections for all types and uses of newly constructed, altered, moved, enlarged, replaced, repaired, removed, demolished, relocated, change of use or occupancy for buildings and structures.

Inspection and verification of the installation of building water service lines and sewer service laterals for all types and uses of buildings.

Inspection and verification of private water and sewer distribution piping systems not part of the municipal water and sewer systems.

Review, approval, if meeting all criteria of zoning ordinances and inspection of zoning for the Village per the Village of Ashville Zoning Ordinances and Mapping. If zoning approval is not possible due to property not being in compliance with Village of Ashville Zoning Regulations, the owner will be denied and referred to the Board of Zoning Appeals.

Inspection and Verification of zoning compliance with buildings and structures placement on land within the Village.

Intake of all applications and documents for processing for zoning and building review and issuance of plan approval.

Receipt and Administration, through our IT system, of all plan review, approvals, inspection requests, inspection results, certificates of occupancy for all buildings and structures.

Record maintenance and retention, on behalf of the Village of Ashville of all building records on Toole & Associates IT system. Toole & Associates will use its own computer system for all Village of Ashville Building & Zoning services. Applicants will forward all documents to Toole & Associates for building and zoning review and inspection services to be performed. After confirmation all fees have been paid to the Village of Ashville for services per the fee sheet forwarded to the Village by Toole & Associates, the documents will be forwarded by Toole & Associates to the applicants for their use.

After receipt of copies of Building Department fees collected by the Village no later than the 5th business day of the following month, Toole & Associates will calculate the amount of BBS fees due, pay the fees on behalf of the Village and invoice the Village as a reimbursement to Toole & Associates. Copies of all monthly BBS reports and fees paid will be provided to the Village. Year-end BBS reports will be completed and filed with the Board of Building Standards by the 15th of January of the year following the year the report covers by Toole & Associates on behalf of the Village with the Village being provided a copy of the report.

Verification of TOF for all new buildings constructed.

Village of Ashville Contract Agreement:

We very much appreciate the opportunity to provide residential and commercial building department services to the Village of Ashville.

Sincerely yours in safety,

Toole & Associates, LLC

William R. Toole, CBO
Principal

We agree as to the terms and conditions as set forth above. This Agreement is entered the

_____ day of _____, 2023.

For Village of Ashville:

Approved as to form:



W. Franklin Christman, Village Administrator



Aaron M. Glasgow, Ashville Legal Counsel & Solicitor



April D. Grube, Fiscal Officer