

ORDINANCE NO. 18- 11

AN ORDINANCE TO ADOPT CHAPTER 1501 – FIRE LOSS CLAIMS OF THE CODIFIED ORDINANCES

WHEREAS, the Village defers to state codes and regulations for fire prevention and related enforcement; and

WHEREAS, Ohio Revised Code Section 3929.86 (C) and (D) establishes a procedure that allows the Village to hold a building owner’s insurance proceeds in escrow until the damage is repaired or mitigated; and

WHEREAS, the same statute mandates that the escrow procedure is only applicable if the municipal corporation has adopted an ordinance authorizing the procedure described therein and filed a certified copy of the ordinance with the superintendent of insurance; and

WHEREAS, Council desires to implement the escrow procedures as provided by statute.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CENTERBURG, STATE OF OHIO, THAT:

Section 1. That Chapter 1501 – FIRE LOSS SECURING FUND of the Codified Ordinances of the Village of Centerburg be adopted to read as follows:

CHAPTER 1501 – FIRE LOSS SECURING FUND

1501.01 FIRE DAMAGED STRUCTURES; REMOVAL OR REPAIR SECURING FUND

The Village hereby authorizes and implements the procedure described in Ohio Revised Code 3929.86 (C) and (D), as may be subsequently amended, renumbered, or replaced.

1501.02 OBLIGATION OF INSURANCE COMPANIES

No insurance company doing business in the State shall pay a claim of a named insured for fire damage to a structure located within the Village unless the applicable procedure adopted in Ohio Revised Code 3929.86 (C) and (D), as may be subsequently amended, renumbered, or replaced.

1501.03 DESIGNATION OF OFFICER

The Village Clerk Treasurer is hereby designated as the office authorized to carry out the duties of Ohio Revised Code 3929.86 (C) and (D), as may be subsequently amended, renumbered, or replaced.

Section 2. The Village Clerk Treasurer shall file a certified copy of this ordinance for public record with the superintendent of insurance, and is authorized and empowered to take all necessary actions to accomplish the same.

Section 3. That this Ordinance shall take effect and be in force upon the earliest date allowed by law.

DATE PASSED May 7, 2018

Signature on file

PRESIDENT OF COUNCIL

ATTEST Signature on file
CLERK OF COUNCIL

Signature on file
MAYOR

APPROVED AS TO FORM:

DATE APPROVED: 5-7-18

Signature on file
LEGAL COUNSEL

I hereby certify that the ordinance or a summary of the ordinance was published once a week for two consecutive weeks on May 16, 2018 and May 23, 2018 in the *Mount Vernon News* in conformance with the Ohio Revised Code.

Signature on file
CLERK-TREASURER