CHAPTER 1
ADMINISTRATION

SECTION 101
GENERAL

101.1 Title. Chapters 4101:1-1 to 4101:1-35 of the Administrative Code shall be designated as the “Ohio Building Code” for which the designation “OBC” may be substituted. The International Building Code 2003, first printing, Chapters 1 to 35, as published by the International Code Council, Inc. with errata and editorial changes provided to the publishers of the Ohio Building Code as of the adoption date of this rule are incorporated fully as if set out at length herein with substitutions as set forth below. References in these chapters to “this code” or to the “building code” in other sections of the Administrative Code shall mean the “Ohio Building Code.”

101.2 Scope. The provisions of the “Ohio Building Code” shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. No building or its equipment or accessories, to which the rules of the board apply, shall be erected, constructed or installed, except in conformity with the rules of the board.

Exceptions:

1. Detached one-, two- and three-family dwellings and structures incidental to those dwellings which are not constructed as industrialized units shall comply with local residential codes, if any, adopted by the authority having jurisdiction. This exception does not include the energy provisions required in Chapter 13, Energy Efficiency of the OBC (see Sections 3781.06, 3781.181, and 3781.182 of the Revised Code);
2. Buildings owned by and used for a function of the United States government;
3. Buildings or structures which are incident to the use for agricultural purposes of the land on which said buildings or structures are located, provided such buildings or structures are not used in the business of retail trade. For the purposes of this section, a building or structure is not considered used in the business of retail trade if 50 percent or more of the gross income received from sales of products in the building or structure by the owner or operator is from sales of products produced or raised in a normal crop year on farms owned or operated by the seller (see Sections 3781.06 and 3781.061 of the Revised Code);
4. Agricultural labor camps;
5. Type A or Type B family daycare homes;
6. Buildings or structures which are designed, constructed and maintained in accordance with federal standards and regulations and are used primarily for federal and state military purposes where the U.S. Secretary of Defense, pursuant to 10 U.S.C. Sections 18233(a)(1) and 18237, has acquired by purchase, lease or transfer, and constructs, expands, rehabilitates, or corrects and equips such buildings or structures as he determines to be necessary to carry out the purposes of Chapter 1803 of the U.S.C.

101.2.1 Appendices. The content of the appendices to the Administrative Code is not adopted material but is approved by the Board of Building Standards (BBS) and provided as a reference for code users.

101.3 Intent. The purpose of this code is to establish uniform minimum requirements for the erection, construction, repair, alteration and maintenance of buildings, including construction of industrialized units. Such requirements shall relate to the conservation of energy, safety and sanitation of buildings for their intended use and occupancy with consideration for the following:

1. Performance. Establish such requirements, in terms of performance objectives for the use intended.
2. Extent of use. Permit to the fullest extent feasible the use of materials and technical methods, devices and improvements which tend to reduce the cost of construction without affecting minimum requirements for the health, safety, and security of the occupants of buildings without preferential treatment of types or classes of materials or products or methods of construction.
3. Standardization. To encourage, so far as may be practicable, the standardization of construction practices, methods, equipment, material and techniques, including methods employed to produce industrialized units.

The rules of the board and proceedings shall be liberally construed in order to promote its purpose. When the building official finds that the proposed design is a reasonable interpretation of the provisions of this code, it shall be approved. Materials, equipment and devices approved by the building official pursuant to Section 118 shall be constructed and installed in accordance with such approval.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Mechanical. Chapters 4101:2-1 to 4101:2-15 of the Administrative Code, designated as the Ohio Mechanical Code, shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.
101.4.2 Plumbing. Chapters 4101:3-1 to 4101:3-13 of the Administrative Code, designated as the Ohio Plumbing Code, shall apply to the installation, alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.3 Elevator. The provisions of the Ohio Elevator Code (Chapters 4101:5-1 to 4101:5-3 of the Administrative Code) shall apply to the design, construction, repair, alteration and maintenance of elevators and other lifting devices as listed and defined therein.

101.4.4 Fire prevention. The provisions of the Ohio Fire Code (Chapters 1301:7-1 to 1301:7-7 of the Administrative Code) shall apply to the preventive measures which provide for fire-safe conduct and operations in buildings and includes the maintenance of fire detection, fire alarm and fire-extinguishing equipment and systems, exit facilities, opening protective, safety devices, good housekeeping practices and fire drills.

101.4.5 Boiler. The provisions of the Ohio Boiler Code (Chapters 4101:4-1 to 4101:4-17 of the Administrative Code) shall apply to the design, construction, repair, alteration and maintenance of boilers and unfired pressure vessels as listed and defined therein.

101.4.6 Fire prevention. Deleted.

101.4.7 Energy. Deleted.

SECTION 102
APPLICABILITY

102.1 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. Municipal corporations, under Section 3781.01 of the Revised Code, may make further and additional regulations, not in conflict with Chapters 3781. and 3791. of the Revised Code or with the rules of the BBS. However, under Section 3781.12 of the Revised Code, approval by the BBS of any fixture, device, material, system, assembly or product of a manufacturing process, or method or manner of construction or installation shall constitute approval for their use anywhere in Ohio.

As provided in Section 3781.11(B) of the Revised Code, the rules of the BBS shall supersede and govern any order, standard, or rule of the division of the fire marshal or industrial compliance in the department of commerce, and the department of health and of counties and townships, in all cases where such orders, standards or rules are in conflict with the rules of the BBS, except that rules adopted and orders issued by the fire marshal pursuant to Chapter 3743. of the Revised Code prevail in the event of a conflict.

The rules of the BBS adopted pursuant to Section 3781.10 of the Revised Code and known as the Ohio Building Code (OBC) shall govern any rule or standards adopted by the board pursuant to Sections 4104.02 and 4105.011 of the Revised Code.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

Unless specified otherwise in Divisions 4101:1, 4101:2 or 4101:3 of the Administrative Code, reference in adopted sections to the term "International Building Code" shall be changed to "building code;" reference to "International Mechanical Code" shall be changed to "mechanical code;" reference to "International Plumbing Code" shall be changed to "plumbing code;" reference to "fire prevention code," shall mean the "Ohio Fire Code" and reference in design and construction provisions of the above three divisions to "one-and two-family dwellings" shall be changed to "one-, two-, and three-family dwellings constructed of industrialized units;" and the phrase "as applicable in Section 101.2" shall be removed.

Where differences occur between provisions of this code and referenced standards listed in Chapter 35 of the OBC, the provisions of this code shall apply.

102.5 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions thereof, and it shall be presumed that this code would have been adopted without such illegal or invalid parts or provisions.

102.6 Existing structures. The provisions of Chapter 34 shall control the alteration, repair, addition and change of occupancy of any existing structure.

The occupancy of any structure currently existing on the date of adoption of this code shall be permitted to continue without change, provided the alleged occupancy can be shown to have existed for more than two years and there are no orders of the building official pending, no evidence of fraud or no serious safety or sanitation hazard.

Buildings constructed in accordance with plans which have been approved prior to the effective date of this code are existing buildings.

102.7 Nonrequired work. Any component, building element, equipment, system or portion thereof not required by this code shall be permitted to be installed, provided that it is constructed or installed in accordance with this code to the extent of the installation.
SECTION 103
CERTIFIED BUILDING DEPARTMENTS
AND PERSONNEL

103.1 General. Before exercising authority in the enforcement of the rules of the board and before accepting and approving plans pursuant to Sections 3781.03, 3791.04 and 4104.43 of the Revised Code, municipal, township and county building departments and their required personnel shall have been certified by the BBS pursuant to Section 3781.10 of the Revised Code. Application for certification to the BBS shall be made on prescribed forms according to the provisions of Section 103.

Certification shall not be construed as conferring any jurisdiction to such department to regulate the construction of buildings by the state of Ohio or on land owned by the state of Ohio. This includes, but is not limited to, its agencies, authorities, boards, commissions, administrative departments, instrumentalities, community or technical college districts, but does not include other political subdivisions. This paragraph shall not be construed to apply to local school district building projects funded by the Ohio school facilities commission in accordance with Chapter 3318. of the Revised Code where the local certified building department is authorized by the board to regulate construction of school facilities.

Note: The lands owned by Miami University in the city of Oxford and Oxford Township in Butler County and leased to private individuals or corporations under the land rent provisions of the Act of February 17, 1809, as set forth at 7 Ohio Laws 184, are subject to local certified building department jurisdiction and are exempt from these provisions.

103.2 Building department certification requirements. To qualify for certification, a municipal, township or county building department shall conform to the following:

1. Conformity with law. The department shall have been created in conformity with law. The department has the option to be certified in different occupancy classifications and for different types of systems. The optional system certifications are plumbing (for municipal departments only) and medical gas piping systems.

1.1. If the department does not hold the certification to enforce plumbing provisions, then the enforcement shall be done by the local board of health or the division of industrial compliance in the department of commerce.

1.2. If the department does not hold the certification to enforce medical gas piping systems, then the enforcement shall be done by the local board of health or the division of industrial compliance in the department of commerce.

2. Required personnel. The department, in accordance with its chosen certification, shall have personnel qualified to execute the duties required for the exercise of enforcement authority, the approval of construction documents and the making of inspections, under the rules of the board. All personnel of municipal, township, or county building departments, and persons and employees of persons, firms or corporations whose responsibilities include the exercise of enforcement authority shall be certified by the BBS pursuant to Section 103.3 prior to performing such duties.

2.1. Building official. The building department shall have in its employ or under contract one person appointed by the municipality, township or county certified as a building official and designated as responsible for the overall administration of a building department and enforcement of the rules of the board.

2.2. Master plans examiner. The building department shall have in its employ or under contract at least one person holding certification as a master plans examiner designated to examine construction documents to determine compliance with the rules of the board, except when exempted by Section 105.3.1.1.

2.3. Building inspector. The building department shall have in its employ or under contract at least one person holding certification as a building inspector and designated to determine compliance with approved construction documents in accordance with Section 109.7 and the rules of the board.

2.4. Plumbing inspector. If the department chooses to be certified to enforce plumbing provisions, then the municipal building department shall have in its employ or under contract at least one person holding certification as a plumbing inspector and designated to determine compliance with approved construction documents in accordance with Section 109.7 and the rules of the board.

2.5. Electrical inspector. The building department shall have in its employ or under contract at least one person holding an electrical safety inspector certification and designated to determine compliance with approved construction documents for electrical systems in accordance with Section 109.7.

2.6. Backup personnel. The department shall have in its employ or under contract, alternate personnel meeting the requirements of this rule, to serve in the event of a conflict of interest or the unavailability of the building official, plans examiner or inspectors.

2.7. Replacement personnel. When required personnel leave the employ of the department, permanent replacement personnel shall be designated in accordance with the rules of the board within 120 days.

3. Optional personnel. The department may have the following optional personnel qualified to execute the duties described below, under the rules of the board. All personnel of municipal, township or county building departments, and persons and employees of persons, firms or corporations whose responsibilities include the exercise of enforcement authority shall be certified by the BBS pursuant to Section 103.3 prior to performing such duties.
3.1. **Mechanical inspector.** The department may have in its employ or under contract persons holding a mechanical inspector certification and designated to determine compliance with the approved construction documents for heating, ventilating and air-conditioning (HVAC) systems, and the associated refrigeration, fuel gas and heating piping systems in accordance with Section 109.7. If the department does not have in its employ or under contract persons holding the mechanical inspector certification, then the enforcement of the mechanical provisions shall be done by the building inspector.

3.2. **Fire protection inspector.** The department may have in its employ or under contract persons holding a fire protection inspector certification and designated to determine compliance with approved construction documents for fire protection systems (automatic sprinkler systems, alternative automatic fire-extinguishing systems, standpipe systems, fire alarm and detection systems and fire pump systems) in accordance with Section 109.7. If the department does not have in its employ or under contract persons holding the fire protection inspector certification, then the enforcement of the fire protection provisions shall be done by the building inspector.

3.3. **Medical gas piping inspector.** The department may have in its employ or under contract persons holding a medical gas piping inspector certification and designated to determine compliance with approved construction documents for nonflammable medical gas, medical oxygen and medical vacuum systems. If the department does not have in its employ or under contract persons holding a medical gas piping inspector certification, then all enforcement of medical gas piping systems shall be deferred to either of the following: the local health district when that district requests to enforce those piping systems and the district has employed or hired under contract a person holding the medical gas piping inspector certification; or the superintendent of the division of industrial compliance in the department of commerce.

3.4. **Electrical plans examiner.** The department may have in its employ or under contract persons holding an electrical plans examiner certification, designated to examine construction documents related to electrical systems to determine compliance with the rules of the board. If the department does not have in its employ or under contract persons holding the electrical plans examiner certification, then the examination of the construction documents for compliance with the electrical provisions of the code shall be done by the master plans examiner.

3.5. **Plumbing plans examiner.** The department may have in its employ or under contract persons holding a plumbing plans examiner certification, designated to examine construction documents related to plumbing systems to determine compliance with the rules of the board. If the department does not have in its employ or under contract persons holding the plumbing plans examiner certification, then the examination of the construction documents for compliance with the plumbing provisions of the code shall be done by the master plans examiner.

4. **Contract employees.** A municipal corporation, township or county may contract with a certified building department, health district or with persons, firms or corporations under contract to furnish services to same, and meeting the requirements of this rule, to exercise enforcement authority, administer these rules, approve plans and specifications and perform field inspections on behalf of such municipal corporation, township or county, provided such authority is exercised pursuant to such contract and upon application to and approval by the BBS.

5. **Conflict of interest.** No employee or person who contracts for services within the jurisdictional area of the department shall perform services for the department, which would require exercise of authority given by the rules of the board over any work, or evaluation of any work, furnished by him or by a private contractor that employs him on a full-time, part-time or incidental basis. Further, such employee or person shall not commit a conflict of interest under Sections 102.03 and 102.04 of the Revised Code.

6. **Building department office.** The building department shall have an office conveniently located within the area it serves. The office shall be open and staffed to serve the public need and office hours shall be conspicuously posted.

7. **Availability of inspectors.** The building department shall be staffed to permit all inspectors to be available for requested inspections as required in Section 109.1.

103.2.1 **Building department certification application.** Application for certification of a municipal, township or county building department shall be made on a form prescribed by the BBS and shall set forth:

1. Copy of the law creating such a department.
2. Copy of a resolution requesting certification of the building department to enforce the rules of the board.
3. The proposed budget for the operation of such department.
4. A chart showing the organization of the building department within the governmental body.
5. Data reflecting the population and the size of the area to be served.
6. The number and qualifications of the staff composing the building department.
7. The names, addresses and qualifications of persons, firms or corporations contracting to furnish work or
services when such persons, firms or corporations are under contract to furnish architectural, engineering or inspection services to the municipal corporation, township or county, and such authority is exercised pursuant to such contract.

8. The names of other municipal corporations, townships, counties, health districts or other political subdivisions contracting to furnish work or services when such other municipal corporation, township, county, health district or other political subdivision is under contract to furnish architectural or engineering services to the municipal corporation, township or county, and such authority is exercised pursuant to such contract and when officers or employees of any other municipal corporation, township, county, health district or other political subdivision under contract to furnish inspection services to the municipal corporation, township or county when such authority is exercised pursuant to such contract.

9. A copy of the ordinance or resolution authorizing a building department to enter into a contract with other municipalities, townships, counties, health districts or other political subdivisions, persons, firms or corporations to do their plan approval and inspections.

10. A copy of the contract between the building department and other municipalities, townships, counties, health districts or other political subdivisions, persons, firms, or corporations to do their plan approval or inspections.

11. The department within the municipality, township, or county which will be responsible for plumbing inspection if not within the building department.

12. The applicant may attach any other charts, maps, statistical data or other information which it determines may be beneficial to the board in considering the applications for certification.

13. Amendments to applications, before formal action is taken by the board, may be allowed by the board. Request for amendments to application shall be made in writing and conform to all the other provisions of this rule.

14. A procedure for plan approval, a copy of the plan review application and a copy of the department's approval stamp.

15. The original and six copies of the documents, papers and charts required in paragraphs 1 to 16 of this rule shall be filed with the board. Copies may be reproduced; however, all such copies must be clear and readable.

16. Signature of an authorized representative of the board of township trustees in townships, the board of county commissioners in counties or the appropriate official in municipalities. (It is suggested that in case of municipal corporations, the legal advisor be consulted to determine the appropriate municipal officer or body which has authority to authorize the making and filing of the application.)

103.2.2 Building department certification, public hearing. After the appropriate official in municipalities or the board of township trustees in townships, or the board of county commissioners in counties has made the prescribed application and the same has been examined and considered by the BBS, a public hearing on the application shall be held pursuant to Section 3781.101 and Chapter 119. of the Revised Code. The proposed building official of the municipality, board of township trustees or the board of county commissioners or legal counsel or, or other authorized representative shall be present at the public hearing to explain and give answers to any questions required by the board, or such officials may present their positions in writing. The board shall give all interested persons appearing at such public hearing an opportunity to be heard and explain their positions. All persons desiring to be heard at the public hearing shall first be duly sworn in or affirmed and a record of the proceeding shall be made by the board.

103.2.3 Building department certification, approval or denial. Approval by the board of building standards of an application for certification shall set forth the group classifications and subject matters for which the municipal, township, or county building department under consideration is to be certified. After such approval, the appropriate official in municipalities, board of township trustees in townships or the board of county commissioners in counties requesting certification shall be furnished a certificate of approval which shall state the conditions and limitations, if any, under which it has been issued. If the application is denied in whole or in part by the BBS, the appropriate official in municipalities, board of township trustees in townships or the board of county commissioners in counties requesting certification shall be notified in writing of such denial and the reason therefore and to their rights of appeal.

103.2.4 Building department certification, reports and assessment.

103.2.4.1 Reports and information. Certified building departments shall submit the following reports and information to the board of building standards:

1. A yearly operational report within 90 calendar days after the end of each calendar year;
2. Notification of changes in personnel of the building department who enforce the rules of the board, within 30 calendar days after such personnel have been appointed; and
3. Replies to any special requests or queries made by the board of building standards within 30 calendar days of receipt.

103.2.4.2 Board assessment. Each political subdivision that prescribes fees pursuant to division (E) of Section 3781.102 of the Revised Code shall also collect on behalf of the BBS an assessment equal to 3 percent of those fees imposed for approvals, the acceptance and approval of plans and specifications and for the making of inspections.
103.2.4.2.1 Assessment report. The building official shall report on the prescribed form and remit monthly by check the amount of the assessments collected on behalf of the board not later than 60 days following the end of each month in which the assessments are collected. In the case of building departments under contract to exercise enforcement authority pursuant to Section 103.2.1.8, the building official shall report and remit to the board for all certified departments under contract. The check shall be made payable to the “Treasurer, State of Ohio.”

103.2.5 Building department certification, revocation or suspension. Pursuant to division (E) of Section 3781.10 of the Revised Code, a certification may be revoked or suspended with respect to any and all of the group classifications to which it relates on application to the board of building standards by any person affected by the exercise of the authority granted under such certification, or by said board on its own motion.

103.2.5.1 Building department certification, hearings and appeals. Hearings shall be held by the BBS and appeals shall be permitted on any proceedings for certification in the same manner as provided in Section 3781.101 of the Revised Code for other proceedings of the BBS.

103.2.6 Building department certification, to be posted. The certificate issued by the BBS to a municipal, township or county building department shall be posted in a conspicuous place in the office of the certified building department. In the event of suspension or revocation of certification, the building official shall, within five days of being notified of such suspension or revocation, surrender to the secretary of the BBS, the certificate previously issued and such department, upon suspension or revocation, shall no longer hold out to the public that it is authorized to issue certificates of approval for the construction, repair, alteration of buildings or classes of buildings specified in Section 3781.06 of the Revised Code for which it has been suspended or certification revoked.

103.3 Building department personnel. The department shall have personnel qualified to execute the duties required to enforce the rules of the board.

103.3.1 Building department personnel certification classifications. The certifications issued by the board of building standards, as required in Section 103.3, are as follows:

1. A building official certification qualifies a person to be responsible for the overall administration of a certified building inspection department and enforcement of the rules of the board.

2. A master plans examiner certification qualifies a person to review construction documents to determine compliance with the provisions of the rules of the board.

2.1. A plans examiner trainee certification qualifies a person to review construction documents under the direct supervision of an individual holding a plans examiner certification.

2.2. An electrical plans examiner certification qualifies a person to examine only construction documents related to electrical systems to determine compliance with the rules of the board.

2.3. A plumbing plans examiner certification qualifies a person to examine only construction documents related to plumbing systems to determine compliance with the rules of the board.

3. A building inspector certification qualifies a person to inspect buildings, HVAC systems and the associated refrigeration, fuel gas and heating piping and sprinkler systems in accordance with Section 109.7 to determine compliance with the approved construction documents.

3.1. A building inspector trainee certification qualifies a person to inspect buildings, HVAC systems and the associated refrigeration, fuel gas and heating piping and sprinkler systems under the direct supervision of an individual holding a building inspector certification.

4. A fire protection inspector certification qualifies a person to inspect fire protection systems (automatic sprinkler systems, alternative automatic fire-extinguishing systems, standpipe systems, fire alarm and detection systems and fire pump systems) in accordance with Section 109.7 to determine compliance with the approved construction documents.

5. A mechanical inspector certification qualifies a person to inspect HVAC systems and the associated refrigeration, fuel gas and heating piping in accordance with Section 109.7 to determine compliance with the approved construction documents.

5.1. A mechanical inspector trainee certification qualifies a person to inspect HVAC systems and the associated refrigeration, fuel gas and heating piping under the direct supervision of an individual holding a mechanical inspector certification.

6. An electrical safety inspector certification qualifies a person to inspect electrical systems in accordance with Section 109.7 to determine compliance with the approved construction documents.

6.1. An electrical safety inspector trainee certification qualifies a person to inspect electrical systems under the direct supervision of an individual holding an electrical safety inspector certification.

7. A residential building inspector certification qualifies a person to inspect buildings and components of buildings of industrialized units to determine compliance with the approved construction documents.

8. A plumbing inspector certification qualifies a person to inspect plumbing systems in accordance with Section 109.7 to determine compliance with the approved construction documents.
8.1. A plumbing inspector trainee certification qualifies a person to inspect plumbing systems under the direct supervision of an individual holding a plumbing inspector certification.

9. A medical gas piping inspector certification qualifies a person to inspect medical gas, medical oxygen and medical vacuum systems in accordance with Section 109.7 to determine compliance with the approved construction documents.

103.3.1.1 Multiple personnel certifications held. A person may hold more than one certification.

103.3.2 Seals. No holder of a certification issued by the BBS is authorized to secure a seal in any form or of any type for use in the performance of any of their duties.

103.3.3 Experience requirements of the applicant.

1. Only experience directly related to buildings or structures within the scope of groups regulated by the OBC shall be acceptable for any certification.

2. Only enforcement, inspection or plans examination experience performed in compliance with one of the following shall be acceptable as credit for any certification:

   2.1. Prior to September 25, 1984, for a building department certified by the BBS to exercise enforcement authority for buildings or structures within the scope of groups regulated by the rules of the board; or

   2.2. For an agency or jurisdiction outside the state of Ohio enforcing a model building code of a national model code organization or a code adopted for buildings or structures within the scope of groups regulated by the rules of the board; or

   2.3. An employee of a certified building department who is a holder of a board certification other than that for which application is being made. Certified building department employees who are applicants for plumbing inspector certification and do not comply with Section 103.3.3.6 shall enter the plumbing inspector trainee program.

2.4. Certification by the department of commerce, division of industrial compliance, as a plumbing inspector when application is made for board certification as a plumbing inspector.

2.5. In evaluating experience of an applicant, the board of building standards shall not credit experience gained while acting in violation of rules adopted by the board to establish equivalent experience, and it shall not credit experience gained through the installation of floor and wall coverings, the installation of roofing materials or roofing systems, the finishing of concrete, or any other construction activity that does not provide required knowledge.

3. For a building, mechanical or plumbing inspector applicant, one year of the required experience may be obtained through education credit pursuant to Section 103.3.9.6.

103.3.3.1 Building official. An applicant for a building official certification shall meet one of the following requirements:

1. At least five years experience in building design and construction for buildings or structures within the scope of groups regulated by the rules of the board or experience as specified in Section 103.3.3(2) and an Ohio registration as an architect or professional engineer; or

2. At least 10 years experience as a construction contractor or superintendent of building construction for buildings or structures dealing with all phases and trades of construction, including the responsibility for obtaining approvals and inspections within the scope of groups regulated by the rules of the board or experience as specified in Section 103.3.3(2).

103.3.3.2 Master plans examiner. An applicant for a master plans examiner certification shall meet one of the following requirements:

1. At least five years experience in building design and construction for buildings or structures within the scope of groups regulated by the rules of the board or experience in plan review, as specified in Section 103.3.3(2), and an Ohio registration as an architect or professional engineer; or

2. Successful completion of a trainee program pursuant to Section 103.3.9.

103.3.3.3 Electrical plans examiner. An applicant for an electrical plans examiner certification shall meet the following requirements:

1. At least five years experience as a full-time electrical safety inspector in a certified building department.

103.3.3.4 Plumbing plans examiner. An applicant for a plumbing plans examiner certification shall meet the following requirements:

1. At least five years experience as a full-time plumbing inspector in a certified building department.

103.3.3.5 Building inspector. An applicant for a building inspector certification shall meet one of the following requirements:

1. At least three years experience as a construction contractor or supervisor for buildings or structures within the scope of groups regulated by the rules of the board, or

2. At least three years experience as a skilled tradesman for work subject to inspection under a model building code of a national model code organization or a code adopted for buildings or structures
within the scope of groups regulated by the rules of the board, or experience as specified in Section 103.3.3(2); or equivalent experience that provided knowledge as determined by the BBS. The experience must provide knowledge of different construction methods, processes and types; or
3. Successful completion of a trainee program pursuant to Section 103.3.9.

103.3.3.6 Fire protection inspector. An applicant for fire protection inspector certification shall meet one of the following requirements:
1. At least three years experience in the installation of fire protection systems (automatic sprinkler systems, alternative automatic fire-extinguishing systems, standpipe systems, fire alarm and detection systems and fire pump systems) subject to inspection under a model building code of a national model code organization or a code adopted for buildings or structures within the scope of groups regulated by the rules of the board; or
2. At least three years experience as specified in Section 103.3.3(2) or as a certified fire safety inspector (a maximum of two years experience as a certified automatic sprinkler system designer may be substituted for two of the three years of inspection experience).

103.3.3.7 Mechanical inspector. An applicant for a mechanical inspector certification shall meet one of the following requirements:
1. At least three years as a skilled HVAC system and the associated refrigeration, fuel gas and heating piping tradesman for work subject to inspection under a model building code of a national model code organization or a code adopted for buildings or structures within the scope of groups regulated by the rules of the board or experience as specified in Section 103.3.3(2); or
2. Successful completion of a trainee program pursuant to Section 103.3.9.

103.3.3.8 Plumbing inspector. An applicant for a plumbing inspector certification shall meet one of the following requirements:
1. At least seven years experience in the installation of plumbing, subject to inspection: (1) under either a model building code of a national model code organization or a code adopted for buildings or structures; and (2) within the scope of groups regulated by the rules of the board. Applicants may submit experience as specified in Section 103.3.3(2); or
2. A degree in engineering or architecture and three years experience in plumbing system design; or
3. Successful completion of a trainee program pursuant to Section 103.3.9.

103.3.3.9 Electrical safety inspector. An applicant for an electrical safety inspector certification shall meet one of the following requirements:

1. Journeyman electrician or equivalent for four years, two years as an electrician foreman and two years experience as a building department electrical safety inspector (ESI) trainee;
2. Journeyman electrician or equivalent for four years and three years experience as a building department ESI trainee;
3. Four years experience as a building department ESI trainee;
4. Journeyman electrician or equivalent for six years; or
5. An electrical engineer registered in the state of Ohio;

103.3.3.10 Residential industrialized unit inspector. An applicant for a residential industrialized unit inspector certification shall meet one of the following requirements:
1. At least three years experience as a construction contractor or supervisor for buildings or structures within the scope of groups regulated by the rules of the board, or
2. At least three years experience as a skilled tradesman for work subject to inspection under a model building code of a national model code organization or a code adopted for buildings or structures within the scope of groups regulated by the rules of the board, or experience as specified in Section 103.3.3(2); or equivalent experience that provided knowledge as determined by the BBS. The experience must provide knowledge of different construction methods, processes and types; or
3. At least three years experience as a skilled tradesman for work subject to inspection under a residential dwelling code, three years experience as specified in Section 103.3.3(2), or equivalent experience that provided knowledge as determined by the BBS. The experience must provide knowledge of different construction methods, processes and types.

103.3.3.11 Medical gas piping inspector. An applicant for a medical gas piping inspector certification shall provide evidence verifying that the applicant has been certified by an American Society of Sanitary Engineers (ASSE) recognized third-party certifier in accordance with ASSE Standard 6020.

103.3.4 Ohio Building Code Academy and examination requirements of the applicant. Applicants meeting the appropriate experience requirements of Section 103.3.3 or of rule 4101:2-93-06 of the Administrative Code shall:
1. Complete the Ohio Building Code Academy requirements during the first year of the two-year interim certification granted by the board.
   If, during the evaluation phase of the Ohio Building Code Academy, it is determined that the applicant must complete additional coursework, the additional coursework must be completed during the two-year interim certification period.
If the additional coursework is not completed during the two-year interim certification period and the applicant presents evidence of complying with the examination requirements of Section 103.3.4(2), the board may grant a one-time, one-year extension to allow completion of the additional coursework.

2. Furnish the board approved certification or evidence of passing board approved examinations for the appropriate certification category issued by a national model code organization or a testing agency or entity recognized by the board.

103.3.5 Personnel certification application, filing and processing. Applications for certification will be received at the office of the board. The application shall expire if not used in one year.

Each applicant shall submit, with the formal application, proof of the statements made by attaching such documentary evidence, affidavits, registrar's statements, diplomas, published data, photographs, legible reproductions (all 8½ inches by 11 inches where possible) or any other sworn or proven evidence as, in the discretion of the board, may be sufficient to show the board that the applicant is eligible.

103.3.5.1 Records. The board shall retain, as a permanent part of the application, any or all documents submitted, which shall be properly marked for identification and ownership. Original documents may be replaced by legible reproductions of such documents, at the request and expense of the applicant.

103.3.5.2 Personal appearance. Personal appearance before the board, if required, shall be at the time and place designated by the board.

103.3.5.3 Disapproval. Failure to comply within 90 days from date of written request from the board for additional evidence or information or to appear before the board when such an appearance is deemed necessary by the board, may be considered as just and sufficient cause for disapproval of the application.

103.3.5.4 Board action. All applications shall be considered individually by the board and the action taken shall be recorded in the minutes, noted on the application form, and the applicant so notified.

103.3.6 Continuing education. Holders of certificates shall attend board-sponsored continuing education courses and complete at least 30 hours of board-approved continuing education in their respective classification prior to the expiration date of the certificate.

1. Course approval application. Application for course approval shall be on forms provided by the board. The actual contact course hours shall be clearly discernible.

2. Course credit. The board shall approve courses in each of the classifications and establish hour equivalencies for continuing education credit. Course credit shall only be given for training in the respective classification. Courses approved for more than one classification may be applied to each certification for which training is required. No credit shall be approved for duplicate courses within the same certification period. Instructors of approved courses may apply course hours taught toward their continuing education requirements.

3. Failure to complete. Failure to complete the number of hours required shall result in forfeiture of the certification. It shall be the responsibility of the certificate holder to furnish the board with proof of completion of all board-approved courses for which credit is sought.

103.3.7 Issuance of certificate and renewal. An appropriate certificate shall be issued to the applicant upon completion of the qualification requirements of Section 103.3.3 and payment of an initial fee of $30.00. The same fee shall apply to applicants granted interim approval and the term of the certificate if subsequently issued shall begin on the date of interim approval.

103.3.7.1 Renewal. The certificate holder shall renew at three-year intervals. Certificates of individuals certified pursuant to Section 2 of Amended Substitute House Bill No. 300 (effective September 25, 1984) shall expire three years from the date of issue. The term of all other initial certificates shall expire on the last day of June or December following three full years from the date of issue or board approval.

103.3.7.2 Applications for renewal. Applications for renewal of a certificate shall be submitted to the BBS at least 30 days prior to the expiration date. In addition to the form prescribed by the board, applicants for renewal shall submit a certificate renewal fee of $30.00 and evidence of having attended board-sponsored required continuing education courses or their board-approved equivalents and successfully completed 30 hours of approved educational courses prior to the expiration of the current certificate.

103.3.7.3 Failure to renew. Any holder of a certificate which has expired through failure to renew may obtain a renewal within one year from the date of its expiration, provided the holder has met all requirements for renewal, including payment of the renewal fee. All applications for renewal of expired certificates shall be processed as renewals during the one year following expiration and processed as new applications, except that the holder of an expired certificate shall also be required to satisfy the continuing education requirements prior to recertification. The holder of a certificate which has expired shall not perform any duties for which a certification is required.

103.3.8 Revocation or suspension of certificate. The board upon its own motion or upon written complaint of any person affected by enforcement or approval of plans, shall investigate the actions of the holder of a certificate if there is an allegation implying:

1. The practice of fraud or deceit in obtaining the certificate;
2. A felony or crime involving moral turpitude;
3. Gross negligence, incompetence or misconduct in performance of his duties; and
4. Failure to complete the continuing education requirements prior to expiration date of the certificate.

103.3.8.1 Complaint. When a complaint against a certificate holder has been investigated and substantiated by evidence:

1. He shall be notified of the charges by certified mail, return receipt requested. The certificate holder shall be informed that he has 30 days from the date of the mailing to request a hearing before the board and may be represented by counsel;
2. The board shall schedule a hearing seven to 15 days after receipt of the request, unless another date is mutually agreed upon by both parties. The board may continue or postpone the hearing upon application by the party or upon its own motion;
3. An adjudication hearing shall be conducted pursuant to the provisions of Sections 3781.10, 3781.101 and 119.09 of the Revised Code;
4. Following the hearing, the board may either dismiss the complaint or issue an order revoking or suspending certification. Failure by the certificate holder to request a hearing shall cause the board, after a hearing, to issue an order revoking or suspending certification; and
5. The party affected shall be sent a certified copy of the order and informed by certified mail, return receipt requested, that he may appeal the order within 15 days to the Court of Common Pleas in Franklin County pursuant to Sections 3781.10, 3781.101 and 119.12 of the Revised Code.

103.3.9 Trainee program requirements.

103.3.9.1 Trainee applicants. Trainees shall meet the following requirements:

1. A trainee applicant shall be a full-time employee of a political subdivision or of an inspection agency whose responsibility is to provide full-time inspection services under contract to a political subdivision certified to enforce the OBC, the Ohio Mechanical Code, and the Ohio Plumbing Code.
2. A trainee applicant shall be under the direct supervision of a trainee supervisor.
3. A master plans examiner trainee applicant shall also be a graduate of an NAAB, EAC-ABET or similarly accredited architecture or engineering university program.
4. A building inspector or mechanical inspector trainee applicant shall also have at least one year experience as a skilled tradesman for work subject to inspection under a model building code of a national model code organization or a code adopted for buildings or structures within the scope of groups regulated by the rules of the board, or submit evidence of eligibility for education credit pursuant to Section 103.3.9.6.
5. A plumbing inspector trainee applicant shall have at least three years experience in the installation of plumbing subject to inspection under either a model building code of a national model code organization or a code adopted for buildings or structures and within the scope of groups regulated by the rules of the board, or comply with the provisions of Section 103.3.9.2. Applicants may submit evidence of eligibility for education credit pursuant to Section 103.3.9.6.

103.3.9.2 Trainee supervisors. A trainee supervisor shall:

1. Be a full-time employee of the same political subdivision as the trainee and shall be available to the trainee during normal working hours;
2. Currently possess the certification for which the trainee is being trained;
3. Be responsible for no more than two trainees at one time and shall immediately notify the board of the trainee(s) under supervision;
4. Notify the board of any change in supervisor or trainee status within 30 days;
5. Supervise, check and sign the trainee's inspections and reports or a plans examiner trainee's plans examinations;
6. Provide to the board a report documenting at least 25 inspections or plans examinations made yearly by the trainee under the direct supervision of the trainee supervisor, with an evaluation of the trainee at the end of the first six months of the program at the end of one year, and annually afterward.

103.3.9.3 Trainee sponsor (political subdivision) requirements. The trainee sponsor (political subdivision) shall:

1. Direct the building official to certify to the board that the trainee is a full-time employee of the political subdivision and is under the direct supervision of an individual possessing the certification for which the trainee is being trained; and
2. Provide the trainee with a copy of the current rules of the board.

103.3.9.4 Trainee certification. The board shall issue a trainee certification to each applicant who has met the qualification requirements. The certification shall expire four years from the date of applicant approval by the board. After a minimum of two years and upon satisfactory completion of the trainee program pursuant to Section 103.3.9.5, the trainee may apply for certification in the respective classification. The trainee certification is not renewable and upon expiration the individual may not reapply as a new trainee for a period of one year.

103.3.9.5 Trainee course and work requirements. A building, mechanical or plumbing inspector trainee, during the first year of the trainee program, shall complete at least 100 hours of approved continuing building
code education courses. The trainee shall complete the Ohio Building Code Academy requirements prior to completion of the trainee program. The trainee shall perform at least 25 inspections annually while in the trainee program under the direct supervision of the trainee supervisor. The trainee shall also complete the appropriate examination requirement pursuant to Section 103.3.4(2) prior to the completion of the trainee program.

A master plans examiner trainee shall perform at least 25 plans examinations yearly under the direct supervision of the trainee supervisor; complete at least 10 hours of approved continuing building code education courses yearly, complete the Ohio Building Code Academy requirements and become registered in Ohio as an architect or professional engineer prior to the completion of the trainee program. The trainee shall also complete the appropriate examination requirement pursuant to Section 103.3.4(2) prior to the completion of the trainee program.

103.3.9.6 Education credit. An applicant for a building, mechanical or plumbing inspector or trainee certification may obtain credit for one year of the required experience through education, if one of the following is met:

1. The applicant shall document 900 or more contact hours of training in an Ohio Department of Education-approved vocational education program at the high school or adult level; or

2. The applicant shall document the completion of a baccalaureate degree or an associate degree program in building design or construction.

103.3.9.6.1 Documentation. Supporting documentation may include a certificate of completion, a career passport, a transcript, a college degree or diploma granted by an accredited or state-sponsored institution.

103.3.9.6.2 Educational programs. Education credit shall not be prorated or combined for partial or full credit and shall be awarded only upon successful completion of a specific educational program. Miscellaneous course work or isolated classes shall not be considered.

Vocational instructional programs that are acceptable for credit include:

1. Air conditioning, heating and ventilation.
2. Carpentry.
3. Electricity.
5. Plumbing and pipefitting.
7. Fire fighting.

103.3.9.6.3 Other programs. The successful completion of other specific vocational instructional programs of a minimum of 900 contact hours may be considered by the board if the training is directly related to the design and construction of buildings or structures within the scope of groups regulated by the rules of the board.

103.3.9.6.4 Associate degrees. Technical education instructional programs offering associate degrees include:

1. Architectural/construction technology.
2. Heating and air-conditioning technology.
3. Fire science technology.
4. The successful completion of other specific technical education instructional programs offering degrees may be considered by the board if the training is directly related to the design and construction of buildings or structures within the scope of groups regulated by the rules of the board.

SECTION 104
DUTIES AND POWERS

104.1 General. The building official in a municipality, township or county, whose building department has been certified by the BBS, pursuant to Section 103, shall enforce provisions of the rules of the board and of Chapters 3781. and 3791. of the Revised Code, relating to construction, arrangement and the erection of buildings or parts thereof as defined in the rules of the board in accordance with the certification. The building official shall exercise exclusive responsibility for the enforcement of all design and construction requirements found in this code and in other codes and referenced standards to the extent that the building code refers to those documents for design data, facts, figures, requirements, criteria, conditions, measures and information except as follows:

1. Fire. The fire marshal or fire chief of municipal corporations or townships having fire departments shall enforce all provisions of the rules of the board relating to fire prevention. For those design and construction requirements and other requirements found in the fire prevention code to which the building code refers, to the extent of the reference, they shall be enforced by the building official.

2. Health. The department of health, or the boards of health of city or general health districts, the division of industrial compliance of the department of commerce, or the departments of building inspection of municipal corporations, townships or counties shall enforce such provisions relating to sanitary construction.

3. Engineering. The department of the city engineer, in cities having such departments, has complete supervision and regulation of the entire sewerage and drainage system of the city, including the house drain and the house sewer and all laterals draining into the street sewers. Said departments shall have control and supervision of the installation and construction of all drains and sewers that become a part of the sewerage system of the city and shall issue all the necessary permits and licenses for the construction and installation of all house drains and house sewers and of all other lateral drains that empty into the main sewers. Such department shall keep a per-
4. Enforcement. This section does not exempt any officer or department from the obligation of enforcing any provision of the rules of the board.

5. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code.

104.2 Applications and approvals. The building official shall receive applications, require the review of submitted construction documents and issue plan approvals for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such approvals have been issued and enforce compliance with the provisions of this code.

104.3 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code. When the building official finds that work or equipment is contrary to approved plans and the rules of the board, the building official shall send a notice in writing to the owner of said building or the owner’s agent. The notice shall state where and in what respect the work or equipment does not conform to the approved plans for same and the rules of the board, and specify a reasonable period of time in which to conform to said plans or the rules of the board.

104.4 Inspections. If the plans for the erection, construction, repair, alteration, relocating or equipment of a building are subject to inspect by the building official, under Section 109, the building official shall cause to be made such inspections, investigations and determinations as are necessary to determine whether or not the work which has been performed and the installations which have been made are in conformity with the approved plans and to safety and sanitation.

Exception: Special inspections required under Section 1704.

104.5 Identification. The building department personnel shall show, when requested, proper identification when entering structures or premises in the performance of duties under this code.

104.6 Right of entry. The building official, or building official’s designee, is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that credentials are presented to the occupant and that entry is requested and obtained. Where permission to enter has not been obtained, is denied, or the building official has probable cause to believe that there exists in a structure or upon a premises a condition which is a serious hazard the building official shall have recourse to the remedies provided by law to secure entry.

104.7 Department records. The building official shall keep official records of applications received, certificate of plan approval issued, notices and orders issued, certificate of occupancy, and other such records required by the rules of the board of building standards. Such information shall be retained in the official permanent record for each project. One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by document retention regulations.

104.8 Liability. Liability of certified building department personnel for any tortious act will be determined by Ohio courts to the applicable provisions of Chapter 2744. of the Revised Code.

104.9 Approved materials and equipment. Deleted.

104.10 Modifications. Deleted.

104.11 Alternative materials, design and methods of construction and equipment. Deleted.

104.11.1 Research reports. Deleted.

104.11.2 Tests. Deleted.

SECTION 105
APPROVALS

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, or change the occupancy of a building or structure, or portion thereof, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, plumbing system, other building service equipment, or piping system the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required approval.

105.1.1 Annual approval. In lieu of an individual approval for each alteration to an existing electrical, gas, mechanical, plumbing, or piping installation, the building official may issue an annual approval upon application therefor to any person, firm or corporation regularly employing individuals holding the related board certification in the building structure or on the premises owned or operated by the applicant for the approval.

105.1.2 Annual approval records. The person to whom an annual approval is issued shall keep a detailed record of alterations made under such annual approval. The building official shall have access to such records at all times or such records shall be filed with the building official as designated. These records shall include the applicable construction documents in accordance with Section 106.1.

105.2 Work exempt from approval. Exemptions from approval requirements of this code shall not be deemed to grant approval for any work to be done in any manner in violation of the provisions of this code. Approval shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²) and playground structures.

2. Fences not over 6 feet (1829 mm) high.

3. Oil derricks.
4. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.

5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2 to 1.

6. Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.

7. Finishes not regulated by this code, decorating or other work defined as maintenance or minor repair.

8. Temporary motion picture, television and theater stage sets and scenery.


10. Deleted.

11. Swings and other playground equipment accessory to detached one-, two- and three-family dwellings.

12. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.


Electrical:

1. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

2. Electrical equipment used for radio and television transmissions, except equipment and wiring for power supply, and the installations of towers and antennas.

3. The installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy, unless specifically addressed in this code.

5. Process equipment and the associated wiring on the load side of the power disconnect to the equipment.

Gas:

1. Portable heating appliance.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

3. Alterations and extensions of less than 50 lineal feet (15 240 mm) of pipe.

4. Heating and cooling distribution piping installed and maintained by public or municipal utilities.

5. Dedicated gas piping to and part of air heating systems of less than or equal to 150,000 BTU'S per hour input per system.

Mechanical:

1. Portable heating appliance.

2. Portable ventilation equipment.

3. Portable cooling unit.

4. Deleted.

5. Replacement of any part which does not alter its approval or make it unsafe.

6. Portable evaporative cooler.

7. Deleted.

8. Process equipment and the associated piping. For combination building services/process or power piping systems, the piping located downstream of the control valve which separates the process from the building services piping is exempt from approval.

9. Alterations and extensions of less than 50 lineal feet (15 240 mm) of pipe.

10. Heating and cooling distribution piping installed and maintained by public or municipal utilities.

11. Dedicated refrigeration piping to and part of air cooling systems of less than or equal to 5 tons.

12. Dedicated gas piping to and part of air heating systems of less than or equal to 150,000 BTU's per hour input per system.


Plumbing:

1. The repair of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drain-PIPE, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and an approval shall be obtained and inspection made as provided in this code.

2. The clearance of stoppages or the repair of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

3. Process equipment and the associated piping. For combination building services/process or power piping systems, the piping located downstream of the control valve which separates the process from the building services piping is exempt from approval.

4. Alterations and extensions of less than 50 lineal feet (15 240 mm) of pipe.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, an application for approval shall be submitted within the next working day to the building official.

105.2.2 Repairs. Minor repairs to structures may be made without application or notice to the building official. Such repairs shall not include the cutting away of any wall, parti-
tion or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**105.2.3 Public service agencies.** A plan approval shall be required for all structures other than those directly related to the operation of a generating plant. Plan approvals shall not be required for major utility facilities regulated by the power siting board.

**105.3 Application for plan approval.** To obtain a plan approval, the applicant shall first file an application therefor in writing on a form furnished by the building department for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made for approval.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy(ies) for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 106.3.
5. Deleted.
6. Be signed by the owner, or the owner's authorized agent.
7. Give such other data and information as required by the building official.

**105.3.1 Plan review.** Where the rules of the board are applicable under Section 101.2 and before a building or addition to a building is constructed or erected, before a building is altered or relocated, or building equipment is installed or there is a change of occupancy, construction documents relating to the work and equipment under consideration shall be prepared in conformity with Section 106 and be submitted to the building official for examination.

**105.3.1.1 Plans examiner.** A certified master plans examiner shall review construction documents to determine compliance with the rules of the board.

*Exception: When the building department does not have in its full-time employ a certified master plans examiner, the certified building official shall examine construction documents to determine compliance with the rules of the board if the construction documents contain a written certification by the registered design professional indicating conformance with the requirements of the rules of the board and Chapters 3781. and 3791. of the Revised Code.*

**105.3.2 Compliance.** Construction documents submitted for approval shall be examined for compliance with the rules of the board in the order received, unless otherwise consented to by the building owners affected by deferred examination.

**105.3.1.3 Certified construction documents.** Construction documents which have been prepared by a registered design professional who prepared the same as conforming to the requirements of the rules of the board pertaining to design loads, stresses, strength and stability, or other requirements involving technical analysis, need be examined only to the extent necessary to determine conformity of such construction documents with other requirements of the rules of the board.

**105.3.1.4 Fire protection system construction documents.** Construction documents for fire protection systems authorized to be submitted by individuals certified pursuant to Chapter 4101:2-87 of the Administrative Code shall:

1. When submitted under the signature of an individual certified under Section 3781.105 of the Revised Code, be processed in the same manner as construction documents submitted under the signature of a registered design professional. Any statistical data, reports, explanations, plan description, or information that would not also be required for a similar submission by a registered design professional need not be submitted by a certified designer.
2. If certified by a registered design professional or individual certified under Section 3781.105 of the Revised Code as conforming to requirements of the rules of the board pertaining to design loads, stresses, strength, stability or other requirements involving technical analysis, be examined by the building department official only to the extent necessary to determine conformity of such construction documents with other requirements adopted by the board under Chapters 3781 and 3791 of the Revised Code.
3. Indicate thereon the individual installing the fire protection systems who shall be certified by the fire marshal pursuant to Section 3737.65 of the Revised Code. In the event that the installer is not known at the time of plan approval, partial plan approval shall be granted subject to subsequent submission by addendum of the name of the qualified installer prior to installation of any part of the fire protection systems.

**105.3.2 Time limitation of application.** The approval of plans under this rule is a "license" and the failure to approve such plans as submitted within 30 days after filing or the disapproval of such plans is an "adjudication order denying the issuance of a license" requiring the opportunity for an "adjudication hearing" as provided by Sections 119.07 to 119.13 of the Revised Code and as modified by Sections 3781.031 and 3781.19 of the Revised Code. An adjudication order denying the issuance of a license shall specify the reasons for such denial.

If construction documents have been reviewed for compliance with the rules of the board, a correction letter-adju-
dication order has been issued to the owner, and the owner has neither exercised the right to appeal pursuant to Section 112.5 nor resubmitted corrected documents, the application is invalid six months from the date of the issuance of the correction letter-adjudication order.

105.4 Validity of approval. The construction, erection and alteration of a building, and any addition thereto, and the equipment and maintenance thereof, shall conform to required plans which have been approved by the building official, except for minor deviations which do not involve a violation of the rules of the board. In the absence of fraud or a serious safety or sanitation hazard, any structure built in accordance with approved plans shall be conclusively presumed to comply with Chapters 3781 and 3791 of the Revised Code and the rules of the board.

Exception: Industrialized units shall be constructed to conform to the plans approved by the board.

105.5 Expiration. The approval of plans or drawings and specifications or data in accordance with this rule is invalid if construction, erection, alteration or other work upon the building has not commenced within 12 months of the approval of the plans or drawings and specifications.

One extension shall be granted for an additional 12-month period if requested by the owner at least 10 days in advance of the expiration of the approval and upon payment of a fee not to exceed $100.00.

105.6 Extension. If in the course of construction, work is delayed or suspended for more than six months, the approval of plans or drawings and specifications or data is invalid. Two extensions shall be granted for six months each if requested by the owner at least 10 days in advance of the expiration of the approval and upon payment of a fee for each extension of not more than $100.00.

105.7 Certificate of plan approval and posting. After plans have been approved, the building official shall furnish the owner/applicant a certificate of plan approval.

105.7.1 Content. The form of the certificate shall be as prescribed by the building official and shall show the serial number of the certificate, the address at which the building or equipment under consideration is or is to be located, the name and address of the owner, the signature of the building official who issued the certificate and such other information as is necessary to facilitate and ensure the proper enforcement of the rules of the board.

105.7.2 Posting. The certificate of plan approval shall be posted in a conspicuous location outside of the building and in the front part of the premises on which is, or will be, the approved building or equipment to which the approved plans relate. The owner and the contractor shall, so far as possible, preserve and keep the certificate posted until the completion of the work to which the approved plans relate. Upon application by the owner, the building official shall issue a duplicate certificate of approval to replace one destroyed by vandals or which is accidentally destroyed.

105.8 Nonrequired systems. Any system or portion thereof not required by this code shall be permitted to be installed as a partial or complete system, provided that such system meets the requirements of this code.

SECTION 106
CONSTRUCTION DOCUMENTS

106.1 Submittal documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted in two or more sets with each application for an approval. Before beginning the construction of any building for which construction documents are required under Section 105, the owner or the owner's representative shall submit construction documents to the building official for approval. When construction documents have been found to be in compliance with the rules of the BBS in accordance with Section 106.3 by a certified building department, that compliance shall be deemed sufficient to obtain approval for construction pursuant to Section 105.7 and the building official shall issue the certificate of plan approval. Construction documents for the installation of industrialized units shall be submitted to the building official for approval in accordance with the provisions of Section 106.3.

Exception: No construction documents need be filed with the division of industrial compliance for site installation of industrialized units used exclusively as one-, two- or three-family dwellings.

106.1.1 Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be coordinated and of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code. Construction drawings shall include information necessary to determine compliance with the building, mechanical, plumbing and fire protection codes such as:

1. Index. An index of drawings located on the first sheet which shall also include all occupancy classification(s), type(s) of construction, the area in gross square feet for each level and the maximum design occupant load and the seismic design category and site class.

2. Site plan. A site plan showing to scale the size and location of new construction and all existing structures on the site, including setback and sideyard dimensions, all property and interior lot lines, distances from lot lines, the locations of the nearest streets, the established street grades, types and sizes of all utility lines, and the elevations of all proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for approval is for alteration or repair or when otherwise warranted.

2.1 Buildings or structures located in flood hazard areas. Construction documents submitted for buildings or structures located in commu-
nities with identified flood hazard areas, pursuant to Section 1612, shall include the current FEMA Flood Hazard Boundary Map (FHBM), Flood Insurance Rate Map (FIRM) or Flood Boundary Floodway Map (FBFM) for the project location. The required site plan shall include building elevations using the same datum as the related flood hazard map. The owner shall be responsible for the compliance with local flood damage prevention regulations for additional critical elevation information for the project site.

3. **Floor plans.** Complete floor plans, including plans of full or partial basements and full or partial attics and penthouses. Floor plans must show all relevant information such as door swings, stairs and ramps, windows, shafts, all portions of the means of egress, etc., and shall be sufficiently dimensioned to describe all relevant space sizes. Wall materials shall be described by cross-hatching (with explanatory key), by notation or by other clearly understandable method. Spaces must be identified by code appellation (an “auditorium” may not be identified as a “meeting room” if its attributes indicate that it is an auditorium). The construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

4. **Exterior wall envelope.** Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing; intersections with dissimilar materials; corners; end details; control joints; intersections at roof, eaves or parapets; means of drainage; water-resistive membrane; all elevations necessary to completely describe the exterior of the building including floor-to-floor dimensions and details around openings. The construction documents shall include supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope and shall be approved prior to the start of the system installation. The supporting documentation shall fully describe the exterior wall system, which was tested, where applicable, as well as the test procedure used.

5. **Sections.** Cross sections, wall sections and details including typical connections as required to fully describe the building construction showing wall, ceiling, floor and roof materials. Construction documents shall describe the exterior wall envelope in sufficient detail to determine compliance with this code.

6. **Structure.** Complete structural description of the building, including size and location of all structural elements and a table of live loads used in the design of the building and other data as required to fully describe the structural system.

7. **Fire suppression system.** Areas of protection and fire suppression system occupancy hazard classification.

8. **Ratings.** The fire-resistance ratings of all structural elements as required by this code, data substantiating all required fire-resistance ratings, including details showing how penetrations will be made for electrical, mechanical, plumbing and communication conduits; pipes and systems and the materials and methods for maintaining the required structural integrity, fire-resistance rating and firestopping.

9. **System descriptions.** Complete description of the mechanical and electrical systems, including: materials, routing, and sizes of all piping; location and type of plumbing fixtures and equipment; plumbing schematics and isometrics; materials, routing and sizes of all ductwork; location and type of heating, ventilation, air conditioning and other mechanical equipment and all lighting and power equipment.

10. **Additional information.** Additional graphic or text information as may be reasonably required by the building official to allow the review of special or extraordinary construction methods or equipment.

106.1.1 Fire protection system drawings. Drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Drawings shall contain all information as required by the referenced installation standards in Chapter 9.

106.1.2 Special provisions. The following are special provisions:

1. When construction includes the use of industrialized units or alternative materials, designs and methods of construction or equipment approved by the board, documentation shall be provided to the building official describing how they are to be used. Before these items are installed or used, the following shall be submitted:

   1.1. A copy of the construction documents approved by the board; and

   1.2. Details pertaining to on-site interconnection of modules or assemblies.

2. Construction documents submitted that include construction of public swimming pools shall include documentation indicating approval of the pool construction documents by the Ohio Department of Health in accordance with Section 3109.4 of the OBC.

3. Construction documents submitted that include alterations or construction of, or additions to buildings where sales, display, storage or manufacture of consumer fireworks, 1.4g or display fireworks, 1.3g shall include documentation indicating that the applicant has received preliminary approval for construction issued by the Ohio fire marshal.
4. The elevation certification provided by a registered surveyor and dry floodproofing certification, when required in Section 1612.5 for buildings or structures located in communities with identified flood hazard areas, shall be submitted to the building official.

5. When a certified building department receives an application for plan approval in a jurisdiction in which the local fire official has requested an opportunity to provide input to the certified building department on issues relating to fire protection, the building official shall require that the applicant provide a set of relevant construction documents for the local fire official. The building official shall evaluate the local fire official’s comments related to fire protection provisions of this code that are received within the time frame established by the building official and Section 3791.04 of the Revised Code prior to issuing the plan approval certification.

106.1.3 Exterior wall envelope. Deleted.

106.2 Site plan. Deleted.

106.3 Examination of documents. The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code.

106.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as “Reviewed for Code Compliance.” One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

106.3.1.1 Nonconformance approval. When construction documents are submitted which do not conform with the requirements of the rules of the board, such documents may be approved by the building official, provided such nonconformance is not considered to result in a serious hazard and the owner or owner’s representative subsequently submits revised construction documents showing evidence of compliance with the applicable provisions of the rules of the board. In the event such construction documents are not received within 30 days, the building official shall issue an adjudication order revoking the plan approval.

106.3.1.2 Conditional approval. When construction documents are submitted which cannot be approved under the other provisions of this rule, the building official may, at the request of the owner or owner’s representative, issue a conditional plan approval when an objection to any portion of the construction documents results from conflicting interpretations of the code, or compliance requires only minor modifications to the building design or construction. No conditional approval shall be issued where the objection is to the application of specific technical requirements of the code or correction of the objection would cause extensive changes in the building design or construction. A conditional approval is a conditional license to proceed with construction or materials up to the point where construction or materials objected to by the agency are to be incorporated into the building. The conditions objected to shall be in writing from the building official which shall be an adjudication order denying the issuance of a license and may be appealed in accordance with Section 3781.19 of the Revised Code. In the absence of fraud or a serious safety or sanitation hazard, all items previously examined shall be conclusively presumed to comply with Chapters 3781 and 3791 of the Revised Code and the rules of the board. Reexamination of the construction documents shall be limited to those items in the adjudication order. A conditional plan approval is not a phased plan approval.

106.3.2 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful approval has previously been issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within one year of the approval of construction documents. One extension shall be granted for an additional year if requested by the owner at least 10 days in advance of the expiration of the approval and upon payment of any fee not to exceed $100.00. If, after the start of construction, work is delayed or suspended for more than six months, the approval is invalid. Two extensions shall be granted for six months if requested by the owner at least 10 days in advance of the expiration of the approval and upon payment of any fee for each extension not to exceed $100.00.

106.3.3 Phased approval. The building official shall issue an approval for the construction of foundations or any other part of a building or structure before the construction documents for the entire building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such approval for the foundation or other parts of a building or structure shall proceed at the holder’s own risk with the building operation and without assurance that an approval for the entire structure will be granted. Such approvals shall be issued for various stages in the sequence of construction, provided that all information and data required by the code for that portion of the building or structure has been submitted. The holder of a phased plan approval may proceed only to the point for which approval has been given.

106.3.4 Evidence of responsibility. Required construction documents, when submitted for inspection as required under Section 106, shall bear the identification of the person primarily responsible for their preparation.

106.3.4.1 Seal requirements. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the approval application a registered design professional who shall act as the registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in
responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

Where structural observation is required by Section 1709, the inspection program shall name the individual or firm who are to perform structural observation and describe the stages of construction at which structural observation is to occur. See also duties specified in Section 1704.

Construction documents shall bear the seal of a registered design professional pursuant to Section 3791.04 of the Revised Code.

Exception: The seal of a registered design professional is not required on construction documents for:

1. Buildings or structures classified as one-, two- or three-family dwellings and accessory structures;
2. Energy conservation design for buildings or structures classified as one-, two- or three-family dwellings;
3. Fire protection system designs submitted under the signature of an individual certified in accordance with Section 105.3.1.4;
4. Installation of replacement devices, equipment or systems that are equivalent in type and design to the replaced devices, equipment or systems; and
5. Alterations, construction or repairs to any buildings or structures subject to Sections 3781.06 to 3781.18 and 3791.04 of the Revised Code where the building official determines that the proposed work does not involve the technical design analysis of work affecting public health or general safety in the following areas: means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

5.1. For the purpose of this exception, technical design analysis is defined as the development of integrated solutions using analytical methods in accordance with established scientific and engineering principles.

106.4 Deferred submittals. Deleted.

106.5 Retention of construction documents. Deleted.

106.6 Alternative materials and methods of construction and equipment. For approval of a device, material or assembly that does not conform to the performance requirements in this code, Section 118 shall apply.

106.7 Alternative engineered design. The design, documentation, inspection, testing and approval of an alternative engineered system shall comply with Sections 106.7.1 to 106.7.3.

106.7.1 Design criteria. An alternative engineered design shall conform to the intent of the provisions of this code and shall provide an equivalent level of quality, strength, effectiveness, fire resistance, durability and safety. Materials, equipment or components shall be designed and installed in accordance with the manufacturer’s installation instructions.

106.7.2 Submittal. The registered design professional shall indicate on the application that the system is an alternative engineered design. The approval and permanent approval records shall indicate that an alternative engineered design was part of the approved installation. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

106.7.3 Technical data. The registered design professional shall submit sufficient technical data to substantiate the proposed alternative engineered design and to prove that the performance meets the intent of this code.

SECTION 107
TEMPORARY STRUCTURES AND OCCUPANCIES

107.1 General. The building official is authorized to issue approvals for temporary structures and occupancies. Such approvals shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

107.2 Conformance. Temporary structures and occupancies shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

107.3 Temporary power. Deleted.

107.4 Termination of approval. The building official is authorized to terminate approval for a temporary structure or occupancy and to order the temporary structure or occupancy to be discontinued.

SECTION 108
CONSTRUCTION DOCUMENT EXAMINATION AND INSPECTION FEES

108.1 Payment of fees. Fees for construction documents submitted to and inspections made by certified building departments shall be in accordance with Section 103.2.4.

108.2 Schedule of permit fees. The fees for examination and processing of construction documents when required to be submitted to the division of industrial compliance for approval under Section 105.3.1 shall be in accordance with Table 108.2.

Exception: Fees for alteration or change of occupancy as determined by the building official shall be based on the actual area affected by the alteration or change of occupancy which may extend beyond the limits of construction.
### TABLE 108.2

<table>
<thead>
<tr>
<th>TYPE OF CONSTRUCTION DOCUMENTS</th>
<th>PROCESSING FEE</th>
<th>PLAN EXAMINATION FEE/100 sq. ft. GROSS AREA OF EACH FLOOR LEVEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Structural</td>
<td>$200.00</td>
<td>$7.50</td>
</tr>
<tr>
<td>(2) Mechanical (including medical gas piping)</td>
<td>$200.00</td>
<td>$4.50</td>
</tr>
<tr>
<td>(3) Electrical</td>
<td>$200.00</td>
<td>$4.50</td>
</tr>
<tr>
<td>(4) Automatic sprinkler and other fire suppression systems (all suppressed areas)</td>
<td>$200.00</td>
<td>$4.50</td>
</tr>
<tr>
<td>(5) Industrialized unit</td>
<td>$150.00</td>
<td>$1.30</td>
</tr>
</tbody>
</table>

#### 108.3 Preliminary review.
The fee for preliminary construction document examination for the purpose of determining compliance with the provisions of the rules of the board by the division of industrial compliance shall be $100.00 per hour.

#### 108.4 Inspection fees.
The fee for each inspection, other than those required by Section 104.4 or 105.1 of the OBC, shall be $175.00 per inspection. Requests for all inspections shall be in writing to the division of industrial compliance and the fee shall be paid prior to the inspection.

Fees for an application pursuant to Section 105.1 of the OBC shall include a processing fee of $150.00. The fee for periodic inspections conducted by the division of industrial compliance shall include the hourly inspection rate and expenses such as food, lodging and administrative costs. All such fees shall be paid by the holder of an annual approval.

#### 108.5 Reinspection fee.
The fee for each reinspection shall be $100.00. A reinspection shall be required when the inspector must return to inspect work that was not ready or had failed a previous inspection.

#### 108.6 Related fees.
In addition to the fees required by Sections 108.2, 108.3 and 108.4, the superintendent of the division of industrial compliance shall collect a fee, on behalf of the BBS, of $3.25 for each application for acceptance and approval of construction documents and for making inspections.

The fee shall be deposited by the division of industrial compliance, pursuant to Section 121.084 of the Revised Code, to the credit of the board. The superintendent of the division shall report on the amount of the fees collected and deposited to the board not later than 45 days following the end of the first full month's collection and then monthly afterward.

#### 108.7 Late fee.
Any person who fails to pay an inspection fee required for any inspection conducted by the department of commerce pursuant to Chapters 3781. and 3791. of the Revised Code, except for fees charged for the examination and processing of construction documents, within 45 days after the inspection is conducted shall pay a late payment fee equal to 25 percent of the inspection fee.

#### 108.8 Certificate of occupancy.
The fee for each certificate of occupancy issued in accordance with Section 110.3 shall be $50.00.

#### 108.9 Temporary certificate of occupancy.
The fee for each temporary certificate of occupancy issued in accordance with Section 110.4 shall be $350.00.

---

#### 108.10 Annual approval for alterations.
The fee for each annual approval for an individual applicant issued in accordance with Section 105.1.1 shall be $300.00.

#### 108.11 Welding and brazing procedure specification review.
The fee for the review of each piping welding and brazing specification submitted in accordance with Section 313.5 of the mechanical code and Section 315.5 of the plumbing code shall be $60.00.

#### 108.12 Welding and brazing procedure qualification record review.
The fee for the review of each procedure qualification record submitted in accordance with Section 313.5 of the mechanical code and Section 315.5 of the plumbing code shall be $15.00.

#### 108.13 Welding and brazing performance qualification review.
The fee for the review of each performance qualification submitted in accordance with Section 313.5 of the mechanical code and Section 315.5 of the plumbing code shall be $15.00.

---

#### SECTION 109 INSPECTIONS AND TESTING

#### 109.1 General.
Construction or work for which an approval is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes but failure of the inspectors to inspect the work within four days, exclusive of Saturdays, Sundays and legal holidays, after the work is ready for inspection, permits the work to proceed.

#### 109.2 Lot line markers required.
Before any work is started in the construction of a building or an addition to a building to which the rules of the board are applicable under Section 101.2, all boundary lines shall be clearly marked at their intersections with permanent markers or with markers which are offset at a distance which is of record with the owner.

#### 109.3 Required inspections.
The building official, upon notification, shall make the inspections set forth in Sections 109.3.1 through 109.3.10 to be made by an appropriately certified inspector in accordance with the approved construction documents.

#### 109.3.1 Footing and foundation inspection.
Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

#### 109.3.2 Concrete slab and under-floor inspection.
Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

#### 109.3.3 Lowest floor elevation.
In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the building official.
109.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

109.3.5 Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

109.3.6 Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

109.3.7 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 of the OBC and shall include, but not be limited to, inspections for: envelope insulation $R$ and $U$ values, fenestration $U$ value, duct system $R$ value, and HVAC and water-heating equipment efficiency.

109.3.8 Other inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

109.3.9 Special inspections. For special inspections, see Section 1704.

109.3.10 Final inspection. The final inspection shall be made after all work required by the plan approval is completed.

109.3.11 Special construction. Where applications for unusual design or magnitude of construction are filed, where required in Section 1704.0 of the building code or where code reference standards in Chapter 35, Referenced standards, of the building code require special architectural or engineering inspections, the building official may require special inspections or full-time project representation by an architect or engineer. This special inspecion/project representative shall keep daily records and submit reports as required by the building official.

Where the building official requires full-time project supervision, the installation of a fire protection system may be supervised by a person certified under Section 3781.105 of the Revised Code in lieu of supervision by a registered architect or professional engineer. The person shall be certified in the appropriate subfield of fire protection systems being supervised — automatic sprinkler, fire alarm or special hazards systems design.

109.4 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies are approved in accordance with the rules of the BBS.

109.5 Inspection requests. It shall be the duty of the owner or the owner's duly authorized agent to notify the building official when work is ready for inspection. Access to and means for inspection of such work shall be provided for any inspections that are required by this code.

109.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall cause the requested inspections to be made and shall either approve the portion of the construction that is satisfactory as completed, or shall notify the owner or the owner's authorized agent where and in what way the portion fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall constitute a violation.

109.7 Inspections, report of violations. When an inspector from the department having jurisdiction finds that any work in connection with the location, erection, construction, repair, alteration, moving or equipment of a building is contrary to the approved construction documents for the same and the rules of the board, and the owner refuses to or does not bring such work or equipment into conformity with said construction documents or the rules of the board, the inspector shall make a written report of his finding to the building official; the written report shall state where and in what respect the work or equipment does not conform to the approved plans and the rules of the board, and shall contain such other information as is required by the building official or which is thought advisable by the inspector.

109.7.1 Industrialized units. When an inspector from the department having jurisdiction finds that an industrialized unit has been constructed contrary to the plans approved by the board, the inspector shall report the nonconformance to the building official. The building official shall notify the board of all violations of Section 109.8. The board or its designee and the building official shall determine the corrective action to be taken before the building is approved to be occupied.

109.8 Industrialized unit inspections. If the plans include industrialized units approved by the board, the building official shall cause to be made inspections required for on-site construction to complete the installation of the industrialized unit in conformance with the applicable provisions of the rules of the board. Such inspections shall include:

1. Connection to on-site construction, interconnection of modules, connection to utilities. The inspections and conducting of required tests shall not require the destruction or disassembly of any factory-constructed component authorized by the board;

2. Inspection of the unit for damage resulting from transportation, improper protection of exposed parts from inclement weather or other causes. Damage shall be repaired as required by the building official to comply with the applicable provisions of the rules of the board;

3. Inspection of the unit to determine if it is marked by an insignia furnished by the board; and
4. Inspect the unit to determine if the floor plan, exterior elevations and exposed details are in conformance with the plans approved by the board.

109.9 Testing. Building service equipment shall be tested as required in the applicable code or referenced standard. Advanced notice of the test schedule shall be given to the code official. Required tests shall be conducted in the presence of the code official or inspection records shall be made available to the code official, upon request, at all times during the fabrication of the systems and the erection of the building.

109.9.1 New, altered, extended or repaired systems. New systems and parts of existing systems, which have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose leaks and defects.

109.9.2 Apparatus, material and labor for tests. Apparatus, material and labor required for testing a system or part thereof shall be furnished by the owner. Required tests shall be made by the owner and shall be conducted at the expense of the owner or the owner’s representative.

109.9.3 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the building official for inspection and testing.

SECTION 110
CERTIFICATE OF OCCUPANCY

110.1 Approval required to occupy. No building or structure, in whole or in part, shall be used or occupied until the building official has issued an approval in the form of a certificate of occupancy. The certificate of occupancy shall indicate the conditions under which the building shall be used. The building owner shall use the structure in compliance with the certificate of occupancy and any stated conditions. The structure and all approved building service equipment shall be maintained in accordance with the approval. When a building or structure is entitled thereto, the building official shall issue a certificate of occupancy.

110.1.1 New buildings. A building or structure erected shall not be used or occupied, in whole or in part, until the certificate of occupancy has been issued by the building official.

110.1.2 Building alterations or additions. A building or structure enlarged, extended or altered, in whole or in part, shall not be occupied or used until a certificate of occupancy has been issued. Occupancy of spaces within a building which are unaffected by the work of alteration shall be allowed to continue if the building official determines the existing spaces can be occupied safely until the completion of the alteration.

110.1.3 Change in occupancy. Changes in occupancy of an existing structure shall not be made except as specified in Chapter 34. A building or structure hereafter changed, in whole or in part, from one occupancy to another shall not be occupied for the new occupancy until the certificate of occupancy has been issued by the building official reflecting such changed portions. Existing occupancy of spaces within the building which are unaffected by the change of occupancy and any related alterations shall be allowed to continue if the building official determines the existing spaces can be occupied safely until the completion of the alterations.

110.1.4 Partial occupancy. Upon the request of the owner or owner’s representative, a building official shall issue a certificate of occupancy before the completion of the entire work, provided that the building official determines that the space can be safely occupied prior to full completion of the building, structure or portion without endangering life or public welfare. The certificate shall indicate the extent of the areas approved for occupancy and any time limits for completion of the work.

110.1.5 Time-limited occupancy. A building or structure hereafter changed in part from one occupancy to another for a limited time may receive a certificate of occupancy reflecting that time-limited occupancy, provided:

1. There are no violations of law or orders of the building official pending;

2. It is established after inspection and investigation that the proposed use is not deemed to endanger public safety and welfare safely;

3. The building official has approved the use for an alternative purpose on a temporary basis;

4. The building official has issued a certificate of occupancy indicating any special conditions under which the building or part of the building can be used for the alternative purpose within the time limit specified.

110.2 Existing buildings. Upon written request from the owner of an existing building or structure, the building official shall issue a certificate of occupancy, provided there are not violations of law or orders of the building official pending, and it is established after inspection and investigation that the alleged occupancy of the building or structure has previously existed. This code shall not require the removal, alteration or abandonment of, or prevent the continuance of, the occupancy of a lawfully existing building or structure, unless such use is deemed to endanger public safety and welfare.

110.3 Certificate issued. The certificate shall certify compliance with the provisions of this code, Chapters 3781. and 3791. of the Revised Code and the purpose for which the building or structure may be used in its several parts. The certificate of occupancy shall contain the following:

1. The plan approval application number.

2. The address.

3. Deleted.

4. A description of that portion of the structure for which the certificate is issued.

5. Deleted.

6. The signature of all building officials having jurisdiction. When more than one building official has jurisdiction for a building (when the certification of the building department is limited for such systems as plumbing or piping systems) each shall sign the certifi-
cate of occupancy with an indication of the scope of their individual approvals.
7. The edition of the code under which the plan approval was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. The hazard classification or storage configuration, including aisle widths, for which the automatic sprinkler system is designed.
13. The automatic sprinkler and standpipe system demand at the base of the riser.
14. Any special stipulations and conditions of the plan approval including any variances granted to the requirements of this code.

110.4 Validity of a certificate of occupancy. The certificate of occupancy represents an approval that is valid only when the building or structure is used as approved and certifies conformance with applicable provisions of the OBC and Chapters 3781 and 3791 of the Revised Code. The approval is conditioned upon the building systems and equipment being maintained and tested in accordance with the approval, the OBC, and applicable equipment and systems schedules.

SECTION 111
SERVICE UTILITIES

111.1 Connection of service utilities. No connections shall be made from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a plan approval and inspections are required, until approved by the building official.

111.2 Temporary connection. The building official shall approve the temporary connection of the building or system to the utility source of energy, fuel or power.

111.3 Authority to disconnect service utilities. Deleted.

SECTION 112
BOARD OF APPEALS

112.1 Application for certification, local board of building appeals. Certification, direct or by contractual agreement, shall be upon application to and on a form prescribed by the BBS. The application by the municipal corporation or county shall be submitted as an original and six copies with the following information:

1. A copy of the charter provision, ordinance or resolution establishing the local board of building appeals and providing for the appointments in accordance with Section 112.3;

1.1. Note: Certified building departments applying for contractual agreement with a certified board of another political subdivision shall submit a copy of the ordinance or resolution from each party authorizing the contract along with a copy of the contract.
2. The name and resume of each member, including the date of appointment, term of office, professional qualifications and experience necessary for membership.

112.2 Certification, local board of building appeals. The board of building standards upon review of the application shall certify a local board of building appeals if:

1. The applicant political subdivision has a building department certified pursuant to division (E) of Section 3781.10 of the Revised Code and that certification is not by contract with another political subdivision;
2. The board is established pursuant to municipal charter, ordinance or resolution; and
3. The board membership meets the requirements of Section 112.3.

The BBS upon review of the application shall certify a local board of building appeals per contract with another certified board if:

1. Both political subdivisions have authorized the contractual arrangement by ordinance or resolution and the contract properly executed reflects that arrangement; and
2. The political subdivision applying for the contract has a building department certified pursuant to Section 3781.10 of the Revised Code.

Exception: Building departments certified by contract with the county building department in accordance with Section 3781.10 of the Revised Code shall have the same board of appeals as that county.

The BBS shall certify county and municipal boards in accordance with Chapter 119 of the Revised Code and shall schedule a hearing on an application within 60 days after receipt of the application.

112.3 Composition and terms, local boards of building appeals. The certified municipal and county boards of building appeals shall consist of five members who are qualified as follows.

1. One attorney, admitted to the Ohio bar;
2. One architect, registered in Ohio;
3. One structural engineer, registered in Ohio;
4. One mechanical engineer, registered in Ohio;

Note: Each of these four members shall have recognized ability, broad training and experience in problems and practice incidental to the construction and equipment of buildings and structures.

5. One member representing organized labor, knowledgeable in the construction and equipment of buildings and structures.

Exception: Municipal boards may have more than five members and need not have an attorney member if the municipal charter so provided prior to October 13, 1983.
112.3.1 Appointment. Members shall be appointed for five
year terms except that original appointments shall be for
terms of one, two, three, four and five years.

112.3.2 Term. A member shall hold office from date of ap-
pointment until the end of the appointed term; however, the
member shall continue in office following the term expira-
tion date until a successor takes office or until 60 days have
elapsed, whichever occurs first.

112.3.3 Vacancies. Any member appointed to fill a vacancy
occurring before the expiration of a term shall hold office
for the remainder of that term.

112.3.4 Reporting. Vacancies and new appointments shall
be reported to the BBS within 30 days. Notification of new
appointments shall include resumes, date of appointment,
term of office, qualifications and experience necessary for
membership. An annual report shall be submitted to the BBS
to provide the information required on the form provided by
the BBS.

112.4 Powers, local boards of building appeals. Certified mu-
nicipal and county boards of building appeals shall hear and
decide the adjudication hearings referred to in Section 113.1
within the jurisdiction of and arising from orders of the local
building official in the enforcement of Chapters 3781 and 3791
of the Revised Code and rules adopted thereunder. The orders
may be reversed or modified by the board if it finds:

1. The order contrary to such laws or rules;
2. The order contrary to a fair interpretation or application
thereof; or
3. That a variance from the provisions of such laws or rules,
in a specific case, will not be contrary to the public inter-
est where literal enforcement of such provisions will re-
sult in unnecessary hardship.

112.4.1 State board of building appeals. The Ohio Board of
Building Appeals shall conduct the adjudication hearings in
political subdivisions without certified boards or without
contracts with certified boards.

112.4.2 Materials. A certified board may not prohibit the
use of materials or assemblages authorized for statewide
use by the BBS pursuant to Section 3781.12 of the Revised
Code.

112.5 Hearing and right of appeal, local board of building ap-
peals. Adjudication hearings shall be in accordance with Sec-
tions 119.09 to 119.13 of the Revised Code, as required by
Section 3781.031 of the Revised Code, and the following:

1. Requests for hearing shall be within 30 days of the mail-
ing date of an adjudication order. The local board shall
schedule a hearing and notify the party. If the hearing
concerns Section 3781.111 of the Revised Code or rules
adopted thereunder, reasonable notice of time, date,
place, and subject of the hearing shall be given to any lo-
cal organization composed of or representing handicap-
capped persons, as defined in Section 3781.111 of the
Revised Code, or if there is no local organization, then to
any statewide organization composed of or representing
handicapped persons.

1.1. For purposes of conducting adjudication hear-
ings, the local board may require attendance of
witnesses, production of records and papers, and
may take depositions of witnesses in accordance
with Section 119.09 of the Revised Code.

1.2. Testimony shall be under oath and as outlined in
Section 113.1. A stenographic or mechanical re-
cord of testimony and other evidence submitted
shall be taken at the expense of the local board of
building appeals.

1.3. The local board may postpone or continue any
adjudication hearing on its own motion or upon
the application of any party.

1.4. The board shall keep a full and complete record
of all proceedings which shall be open to public
inspection.

2. The board shall render its decision within 30 days after
the hearing.

3. Following the hearing, an order shall be entered on its
journal, and the local board shall serve by certified mail,
return receipt requested, upon the party affected thereby, a
certified copy of the order and a statement of the time and
method by which an appeal may be perfected. A copy of
the order shall be mailed to the attorney or other represen-
tatives of record representing the party.

4. Any municipal or county officer, official municipal or
county board, or person who was a party to the hearing
before the municipal or county board of building ap-
peals, may apply to the state board of building appeals
for a de novo hearing, or may appeal to the court of com-
mon pleas of the county in which he is a resident or in
which the premises affected by such order is located.

5. In addition, when the adjudication hearing concerns
Section 3781.111 of the Revised Code, or any rule made
thereunder, any local organization composed of or repre-
senting handicapped persons, or if no local organization
exists, then any statewide organization representing
handicapped persons may file appeals as indicated in
Item 4 of this section.

6. Application for a de novo hearing before the state board
shall be made no later than 30 days after the municipal
or county board renders its decision.

112.6 Revocation of certification, local board of building ap-
peals. The BBS on its own motion or on written complaint of
any person affected by the local board of building appeals shall
cause to be conducted such investigation to determine whether
there is:

1. The presence of fraud;
2. Failure to adhere to applicable procedures set forth in
Chapters 119 and 3781 of the Revised Code or rules
made thereunder;
3. Failure to render decisions within 30 days of the hear-
ing;
4. Granting of variances to provisions of rules of the board
not adopted pursuant to Chapters 3781. and 3791. of the
Revised Code but mandated by other chapters of the Re-
vised Code;
5. Failure to notify handicapped organizations pursuant to Section 3781.19 of the Revised Code; and

6. Failure to permit an appeal for a de novo hearing before the state board of appeals or a direct appeal to the Court of Common Pleas pursuant to Section 3781.19 of the Revised Code.

112.6.1 Complaint. When a complaint against a local board has been investigated and found justified:

1. The board of building standards shall schedule an adjudication hearing pursuant to Section 119.09 of the Revised Code. The local board shall be notified of the charges by certified mail, return receipt requested, at least 30 days prior to the hearing, informed of their right to be represented by counsel and to present witnesses in their behalf;

2. Following the adjudication hearing, the BBS may adopt an order dismissing the complaint or schedule a public hearing pursuant to Section 119.03 of the Revised Code for the purpose of revoking the certification of the local board;

3. Following the public hearing, the BBS may, in accordance with Chapter 119 of the Revised Code, adopt an order dismissing the complaint or adopt a rule revoking the certification of the local board;

4. Any party to the adjudication or public hearing shall be notified of the board's action by certified mail, return receipt requested, and informed of their right to appeal the order, within 15 days after the mailing of the notice, to the Court of Common Pleas in Franklin County pursuant to Section 3781.20 and Chapter 119. of the Revised Code.

SECTION 113
VIOLATIONS

113.1 Adjudication orders, required before legal proceedings. Before any department or agency of the state or any political subdivision attempts to enforce Chapters 3781 and 3791 of the Revised Code or any rules adopted pursuant thereto, by any remedy, civil or criminal, it shall issue an adjudication order within the meaning of Sections 119.06 to 119.13 of the Revised Code or a stop work order as provided in Section 114. Every adjudication order shall:

1. Cite the law or rules directly involved and shall specify what appliances, site preparations, additions or alterations to structures, plans, materials, assemblages or procedures are necessary for the same to comply with Chapters 3781 and 3791 of the Revised Code.

2. Include notice to the party of the procedure for appeal and right to a hearing if requested within 30 days of the mailing of the notice. The notice shall also inform the party that at the hearing he may be represented by counsel, present his arguments or contentions orally or in writing, and present evidence and examine witnesses appearing for or against him.

113.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure. When the building official finds that work or equipment is contrary to approved construction documents and the rules of the board, the building official shall send a notice in writing to the owner of said building or the owner's agent which shall state where and in what respect the work or equipment does not conform to the approved plans for same and the rules of the board. The notice shall specify a reasonable period of time in which to conform to said plans or the rules of the board.

Before any work may continue on the construction, erection, alteration or equipment of any building for which the approval is invalid, the owner of the building shall resubmit the plans or drawings and specifications for approval as required under Section 105.3.

113.3 Prosecution of violation. Upon the issuance of any order provided for in this section or in Section 114, the person receiving an order shall cease work upon the site preparations or structure to be constructed, or in the case of an industrialized unit, the installation of the unit, or shall cease using the appliance, materials, assemblages or manufactured product identified in the order until such time as the appeal provided for in accordance with the provisions of Section 3781.19 of the Revised Code, and all appeals from such hearing have been completed or the order has been released.

113.4 Failure to file construction documents, penalty. When an owner fails to file construction documents as required under Section 3791.04 of the Revised Code and fails to comply with an adjudication order relating thereto and issued under Section 113.1, said owner may be prosecuted and is subject to a fine of not more than $500.00 as provided for in Section 3791.04 of the Revised Code.

113.5 Failure to comply with order to conform to construction documents, remedy. If an owner fails to comply with an order issued by the building official, and fails to comply with an adjudication order relating thereto and issued under Section 113.1 and the time of appeal has expired, then the construction documents required under Section 3791.04 of the Revised Code are deemed not to have been filed and approved, and the conditions of Section 113.4 apply.

SECTION 114
STOP WORK ORDER

114.1 Authority. Whenever the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the building official is authorized to issue a stop work order whenever the building official finds, after inspection, that the site preparations or structure to be constructed, or in the case of an industrialized unit, the installation of the unit, or that the use of an appliance, material, assemblage or manufactured product does not comply with the provisions of Chapters 3781 and 3791 of the Revised Code or the rules adopted pursuant thereto. The effect of such an order shall be limited to the matter specified in the order.
114.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner’s agent and the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

114.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, Failure to cease work after receipt of a stop work order is hereby declared a public nuisance.

SECTION 115
UNSAFE BUILDINGS

115.1 Unsafe buildings. Structures or existing equipment that are unsafe or unsanitary due to inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life shall be deemed a serious hazard. Where a building is found to be a serious hazard, such hazard shall be eliminated or the building shall be vacated, and where such building, when vacated, remains a serious hazard, it shall be razed.

115.2 Unsafe buildings, injunction proceedings. Where the building official finds that a building is a serious hazard and the owner of such building fails, in the time specified in a written notice from the building official, to eliminate such hazard or to vacate or raze the building, the building official shall proceed under Section 113.1 and Section 3781.15 of the Revised Code.

115.3 Notice. Deleted.

115.4 Method of service. Deleted.

115.5 Restoration. Where the structure or equipment determined to be unsafe by the building official, it is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2 and Chapter 34.

SECTION 116
CHANGES TO THE CODE

116.1 Changes, applications for. Any person may apply to the board to adopt, amend or annul rules of the board. The application for rule change shall be on forms and in format prescribed by the board. Twelve printed copies of the application shall be filed with the secretary of the board.

116.2 Processing applications for changes. When the secretary of the board receives a conforming application for an adoption, amendment or annulment of a provision of the rules of the board, the secretary shall promptly deliver or mail a copy of the application to each member of the board.

After receiving an application for the adoption, amendment or annulment of a provision of the rules of the board, the board shall proceed under Sections 3781.101 and 3781.12 of the Revised Code.

SECTION 117
INDUSTRIALIZED UNITS

117.1 Industrialized units shall be approved by the board in accordance with the provisions in this section.

Exceptions:

1. Alternative materials, design and methods of construction and equipment approved by the board in accordance with Section 118.2.2.

2. Construction for which the provisions of Section 1704 applies. Where panels or components are constructed to include elements not provided for or accounted for in Section 1704, then this section shall apply. (For example, engineered glue lam beams, precast concrete panels or welded steel components that have been constructed off site with electrical or mechanical components in them so that a detailed inspection of the mechanical or electrical components cannot be done on the site of their intended use would be required to comply with this section.)

3. Foam-plastic insulation conforming to the provisions of Section 2603. (However, a foam-plastic insulation panel that is constructed, listed and labeled in accordance with Section 2603 is required to comply with this section if structural, electrical or other components not covered by Section 2603 are enclosed within the panel.)

4. Materials, devices and products in directories listed in Table 118.3 used for building service equipment systems in accordance with the listing and this code.

117.2 Definitions.

CLOSED CONSTRUCTION. An assembly of materials or products manufactured in such a manner that its structural, plumbing, electrical, environmental control or fire protection elements or components are concealed and are not readily accessible for inspection at the site of its erection, without disassembly, damage or destruction. Closed construction includes assemblies where only one of the components is not accessible for inspection. (For example, an equipment enclosure where all the electrical conductors and components are exposed for inspection and its roof and wall panels have exposed structural members but the floor panel structural members are not exposed, would be required to comply with this section.)

INDUSTRIALIZED UNITS. Industrialized units are prefabricated components comprised of closed construction manufactured at a location remote from the site of intended use and transported to a building site for its subsequent use. Industrialized units are not restricted to housing for one-, two- and three-family dwellings, but includes all prefabricated forms of building elements and assembled construction units, intended for both structural and service equipment purposes in all buildings of all groups. Prefabricated shop assemblies may be shipped in structurally complete units ready for installation in the building structure or in knock-down and packaged forms for assembly at the site.

117.2.1 General terms. Such terms as “heart modules” or “cores,” “modules,” “modulars,” “service cores,” “pre-
fabs,” “sectional or sectionalized,” “panels or panelized construction” and specific terms including “prefabricated-subassembly, -building, -unit, -unit service equipment” shall be considered industrialized units. They may be self-sufficient or interdependent as a unit or group of units and used together or incorporated with standard construction methods to form a completed structural entity.

117.3 Application. The application for approval, including revisions and renewals for existing approvals, shall be submitted in two copies to the secretary of the board together with the fee required in Section 117.8 of this chapter. The required information shall be on forms prescribed by the board. Construction documents shall be included in conformity with the applicable provisions of Section 106, and shall describe all essential elements of the structure or assembly and details of interconnection of: assemblies; service equipment; electrical wiring; plumbing; mechanical; and any other equipment whether installed at the site or in the manufacturing facility. The design and construction of the units shall be in conformance with the provisions of the Ohio building, mechanical and plumbing codes based on the intended use and/or occupancy type. Industrialized units intended to be used exclusively for one-, two- or three-family dwellings shall comply with the applicable provisions of the Residential Code of Ohio for One-, Two- and Three-Family Dwellings listed in Section 3501.2 or shall meet the provisions of the board’s rules applicable to Group R-3. Only the person holding an approval may apply to the board for a revision or renewal of the approval.

117.3.1 Manufacturers with facilities outside Ohio. Each application for manufacturers with manufacturing facilities outside Ohio shall also identify the individual or agency that will be performing in-plant inspections of the units intended for placement in Ohio. The application shall also include a letter from the designated individual or agency indicating that it has a contractual relationship with the manufacturer to perform the inspections. This letter shall include the name(s) and board certification(s) of the individual(s) who will be assigned to perform the inspections.

117.3.2 Manufacturers with facilities in Ohio. Each application for manufacturers with manufacturing facilities in Ohio shall include the same information required in Section 117.3.1 or, as an alternative, the manufacturer shall indicate its intention to have the inspections conducted by inspectors designated by the board.

117.4 Evaluation. After receipt of the application the board or such agency designated by the board shall proceed with review of the industrialized unit construction documents and cause such inspections of the manufacturer’s quality control processes used to ensure compliance with the rules of the board.

117.4.1 Tests. The board shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the board shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the board for the period required for retention of public records.

117.4.2 Plant evaluations. As a part of the evaluation, a plant evaluation inspection shall be required at each plant of manufacture indicated in the documentation submitted with the application to observe and assure that the manufacturer’s facilities and quality control program maintains acceptable control of materials and processes used in the manufacture of industrialized units to assure conformance with the approved construction documents. The plant evaluation inspection shall include all subassembly plants supplying the manufacturer, as the board may deem necessary.

117.5 Approval. The board, upon determination of compliance, shall issue an approval to the applicant. Industrialized units approved by the board may be used anywhere in Ohio subject to the conditions for their use and application as indicated in the approval.

117.5.1 Revisions. Any changes to board approved construction documents affecting the conditions listed in the approval shall require a revision of the approval.

117.5.2 Code changes. When any changes to the rules of the board are adopted which affect the use, safety, or sanitation of any approved industrialized unit, the holder of the approval shall apply to the board for a revision of the approval. Failure to apply for revision of approvals within the time specified by the board shall constitute failure to comply with the conditions of the approval.

117.5.3 Revocation of approval. Upon failure of the holder of an approval to comply with the conditions of the approval and this chapter, the board, on its own motion, shall order a hearing in accordance with Section 119.03 of the Revised Code to revoke an existing approval.

117.6 Inspections and insignia. Each industrialized unit shall be inspected during each phase of the manufacturing process by inspectors certified by the board or such persons designated by the board until inspections demonstrate that the manufacturer’s quality control program is capable of assuring that the industrialized units produced are built in accordance with the construction documents approved by the board. When it has been determined that the manufacturer’s quality control program is capable of assuring compliance with the board-approved construction documents, at least one phase of construction shall be inspected for each unit by an inspector certified or designated by the board.

Exception: When a manufacturer with manufacturing facilities in Ohio has chosen to have inspections conducted by designees of the board, the inspection frequency shall be based upon the reliability or effectiveness of the manufacturer in maintaining sufficient control of the materials and processes to assure that the units are constructed in accordance with the approved construction documents.

An insignia shall be obtained from the board for each industrialized unit module to be used within the state of Ohio. The insignia shall be affixed to each unit by quality control personnel listed in documentation filed with the board after a determination is made that the unit is constructed in accordance with the construction documents approved by the board, which shall constitute final approval of the unit.
117.6.1 Increased inspection. When an inspection determines that the quality control program does not sufficiently assure compliance with the construction documents approved by the board, the certified inspector or person designated by the board shall, by written notification, inform the manufacturer that the inspection frequency will be increased so that each assembly or component affected by the nonconforming item will be inspected. These inspections shall continue until an inspection determines that the manufacturer's control of the materials and processes used is sufficient to assure that the units are constructed in accordance with the approved construction documents.

117.7 Manufacturer responsibility. The manufacturer shall maintain responsibility over all work completed in the factory until the unit is approved for first occupancy and shall rectify any deviations from the approved construction documents, which are found either in the field or at the place of manufacture. The manufacturer shall submit to the board such periodic reports, notifications and information as required by board procedures.

117.7.1 Document submission to building departments. The manufacturer shall assure that the construction documents approved by the board are presented to the building official in accordance with Section 106.1.2 before placing the industrialized unit on site.

Exception: Industrialized units construction documents previously approved by the board and site-related construction documents are not required to be submitted to the division of industrial compliance where industrialized units are used exclusively as one-, two- or three-family dwellings.

117.7.2 Change in personnel. Whenever there are changes in company name, ownership, subsidiary status, address or change in the manufacturer's management personnel who are responsible for making policy concerning quality control, or a change in the chief quality control inspector or supervisor, the manufacturer shall immediately notify the board, in writing, and the manufacturing plant(s) affected by the change will be subject to a plant evaluation inspection.

117.8 Fees. All costs associated with industrialized unit approvals, inspections and insignias shall be in accordance with Sections 117.8.1 to 117.8.5.

117.8.1 Applications. Each initial application or revision submittal to the board shall be accompanied by a nonrefundable processing fee of $35.00.

117.8.2 Evaluation of construction documents. All costs of evaluation of construction documents or other documentation submitted to the board shall be paid by the applicant.

117.8.3 Plant evaluation and inspection costs. All costs of plant evaluations and inspections shall be paid by the manufacturer of the unit, including travel, food, lodging and administrative costs.

117.8.4 Insignias. The fee for insignia for all assembled modular units manufactured for use in the state of Ohio shall be $30.00 per unit (any preassembled combination of walls to floor, ceilings, roof and other such components).

The fee for insignia for all panelized units manufactured for use in the state of Ohio is $1.00 for each 20 square feet (1.9 m²) of surface area of preassembled individual components (wall, floor, ceiling or roof sections, and other such components) intended to be shipped to the site and attached to other components at the site of intended use.

117.8.5 Tests. Tests required by the board to be performed to determine compliance pursuant to Section 117.4.1, shall be conducted at no expense to the board. Costs associated with any required testing or research necessary to provide evidence of compliance shall be the responsibility of the applicant.

SECTION 118 PRODUCTS AND MATERIALS

118.1 Approved materials and equipment. Materials, equipment, appliances and devices approved by the building official shall be constructed and installed in accordance with such approval. Materials, devices, products and assemblies listed in directories included in Table 118.3 are authorized for use when:

1. Approved by the building official;
2. Installed/used in accordance with the listing;
3. The listing is current; and,
4. The extent of the listing does not include in its scope elements of design, construction or installation otherwise in conflict with the provisions of this code such as fire resistance, structural design, etc.

118.1.1 Used materials and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment, appliances and devices shall not be reused unless approved by the building official.

118.2 Alternative materials, appliances, equipment and methods of construction. The provisions of this code are not intended to prevent the installation of any material or to prohibit any appliance, equipment or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, appliance, equipment or method of construction shall be approved in accordance with either Section 118.2.1 or Section 118.2.2.

Exception: Industrialized units constructed in accordance with Section 117.1 of this chapter.

118.2.1 Research reports. Any material, appliance, equipment or method of construction not specifically provided for in this code shall have a valid research report from an evaluation service listed in Appendix P and shall be deemed to be approved, provided such material, appliance, equipment or method of construction complies with the conditions listed in the report and Chapters 3781 and 3791 of the Revised Code.

118.2.2 Board approval. Any material, appliance, equipment or method of construction not specifically provided for in this code may be approved by the board of building standards upon application under the procedures prescribed by the board.
118.2.2.1 Application. The application for approval, including revisions and renewals for existing approvals, shall be submitted in two copies to the secretary of the board together with the fee required in Section 118.2.2.11 of this chapter. The required information shall be on forms prescribed by the board. Construction documents in conformance with the applicable provisions of Section 106 shall be included to adequately describe and show how equivalent compliance is achieved. Only the person holding an approval to use such an alternative material, appliance, equipment or method issued by the board may apply for a revision or renewal of the approval.

118.2.2.2 Evaluation. The board, upon receipt and evaluation of the completed application, shall have the authority to require such additional information as necessary to determine compliance with the requirements of this section.

118.2.2.3 Tests. The board shall have the authority to require tests as evidence of compliance to be made at no expense to the board. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the board shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the board for the period required for retention of public records.

118.2.2.4 Approval process. When the board deems it advisable to permit the use of the alternative materials, appliances, equipment or methods of construction, a public hearing shall be conducted in accordance with Section 119.03 of the Revised Code. After such hearing, the board shall set an effective date and issue an approval for the use of the alternative materials, appliances, equipment or methods of construction.

118.2.2.5 Conditions of approval. The approval of the alternative material, appliance, equipment or method of construction issued by the board constitutes an authorization for its use anywhere in Ohio subject to the conditions for its use and application as indicated in the approval. The approval for use is valid for a period of one year after the effective date established by the board.

118.2.2.6 Revisions. Any changes to approved alternative materials, appliances, equipment and methods of construction affecting the conditions listed in the approval shall require approval by the board.

118.2.2.7 Renewals. In order to retain the approval, the holder shall apply to the board for a renewal on an annual basis.

118.2.2.8 Code changes. When any changes to the rules of the board are adopted which affect the use, safety or sanitation of any approved alternative materials, appliances, equipment and methods of construction, the holder of such approval shall apply to the board for a revision of the approval. Failure to apply for revision of approvals within three months of the effective date of such rule changes shall constitute failure to comply with the conditions of the approval.

118.2.2.9 Compliance. After approval, each holder of an approval is required to maintain acceptable control of the materials and processes used in the manufacture of approved alternative materials, appliances, equipment and methods of construction as a condition of the approval. The board or its designee shall have the right to make inspections at the place of manufacture to observe compliance. The holder of an approval shall be required to pay all associated expenses incurred by the board or its designee.

118.2.2.10 Revocation of approval. Whenever approved alternative materials, appliances, equipment and methods of construction fail to comply with the conditions of the approval and this chapter, the board, upon its own motion, shall order a hearing in accordance with Section 119.03 of the Revised Code to revoke an existing approval.

118.2.2.11 Fees. Fees for approval of approved alternative materials and methods of construction and equipment shall be in accordance with Sections 118.2.2.11.1 to 118.2.2.11.5.

118.2.2.11.1 New application. An application for approval shall be accompanied by a nonrefundable processing fee of $100.00, and the applicant shall bear the cost of the evaluation.

118.2.2.11.2 Code changes. An application to modify an existing approval due to code changes under Section 118.2.2.8 shall not require a processing fee; however, the applicant shall bear the cost of the evaluation.

118.2.2.11.3 Revisions. An application to revise an existing approval shall require a nonrefundable processing fee of $100.00 and the applicant shall bear the cost of the evaluation.

118.2.2.11.4 Renewals. An application to revise an existing approval shall require a nonrefundable processing fee of $100.00. The renewal application shall be received by the board within 30 days after the end of each calendar year.

118.2.2.11.5 Tests. Tests required by the board to be performed to determine compliance pursuant to Section 118.2.2.3 shall be conducted at no expense to the board. Costs associated with any required testing or research necessary to provide evidence of compliance shall be the responsibility of the applicant.

118.3 Materials, devices, product and assembly directories. Table 118.3 lists directories for materials, devices, products and assemblies accepted for specified performances:
### TABLE 118.3

<table>
<thead>
<tr>
<th>TITLE</th>
<th>AGENCY</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Materials Directory</td>
<td>UL</td>
<td>2004</td>
</tr>
<tr>
<td>Electrical Appliances and Utilization</td>
<td>UL</td>
<td>2004</td>
</tr>
<tr>
<td>Equipment Directory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electrical Construction Materials Directory</td>
<td>UL</td>
<td>2004</td>
</tr>
<tr>
<td>Fire Protection Equipment Directory</td>
<td>UL</td>
<td>2004</td>
</tr>
<tr>
<td>Fire Resistance Directory</td>
<td>UL</td>
<td>2004</td>
</tr>
<tr>
<td>Gas and Oil Equipment Directory</td>
<td>UL</td>
<td>2004</td>
</tr>
<tr>
<td>Hazardous Location Equipment Directory</td>
<td>UL</td>
<td>2004</td>
</tr>
<tr>
<td>Certified Appliances and Accessories Directory</td>
<td>CSA¹</td>
<td>2004</td>
</tr>
<tr>
<td>Directory of Listed Products</td>
<td>ITL²</td>
<td>2004</td>
</tr>
<tr>
<td>Approval Guide</td>
<td></td>
<td>2004</td>
</tr>
<tr>
<td>Specification Tested Products Guide</td>
<td>FM</td>
<td>2004</td>
</tr>
</tbody>
</table>

1. Canadian Standards Association or CSA International (formerly AGA).
2. Intertek Testing Services (formerly ETL & Warnock Hersey).

### SECTION 119

**APPROVED AGENCIES**

119.1 Approved agencies. When test reports are required to be submitted to the building official or where materials or assemblies are required by this code to be marked or labeled, the agency performing the tests, marking or the labeling shall be an approved agency.

119.1.1 Application for approval. Any testing or inspection agency may apply to the board to become an approved agency upon accreditation and/or recognition by one of the approved national evaluation and accreditation services listed in Appendix P. Application shall be limited to those tests or standards listed in each approved agency’s scope of accreditation report.

119.1.2 Maintaining accreditation. Each approved agency shall maintain its accreditation or recognition by an approved national evaluation and accreditation service. Approval shall be based upon a current accreditation or evaluation report issued by an approved national evaluation and accreditation service and subject to the limitations listed therein. Approved agencies are listed in Appendix O.

119.1.3 Fee. Each application for approval shall be accompanied by a processing fee of $100.00.