

Part I - Administrative

RESIDENTIAL CODE OF OHIO FOR ONE, TWO AND THREE FAMILY DWELLINGS AS ADOPTED BY THE OHIO BOARD OF BUILDING STANDARDS

CHAPTER ONE

SECTION 101

TITLE, SCOPE AND PURPOSE.

101.1 Title. Chapters 4101:8-1 to 4101:8-43 of the Administrative Code is designated as the “Residential Code of Ohio for One-, Two-, and Three-Family Dwellings” for which the designation “RCO” may be substituted. The 2004 edition of the “Residential Code for One-, Two-, and Three-Family Dwellings” with errata and editorial changes provided to the publishers as of the adoption date of this rule is incorporated fully as if set out at length herein but, as altered with additions, substitutions and deletions indicated in these rules below. References in these chapters to “this code”, to the “residential code”, or to the “residential code of Ohio” in other sections of the Administrative Code shall mean the “Residential Code of Ohio for One-, Two-, and Three-Family Dwellings”.

101.2 Scope. The provisions of the “Residential Code of Ohio for One-, Two-, and Three-Family Dwellings” shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every residential building or structure, any appurtenances connected or attached to such buildings or structures, or any accessory 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. *Manufactured homes*
2. *Multiple single-family dwelling structures more than three stories in height*
3. *Residential structures when each dwelling unit does not have independent means of egress.*
4. *The structural requirements of the OBC or section 116.2 of this code shall apply to residential structures comprised of detached one-,two and three-family*

dwellings which are more than three stories in height.

5. *Residential buildings with attached occupancies that are within the scope of the OBC shall comply with the requirements of the OBC.*

101.3 Intent. The purpose of this code is to establish uniform requirements for the erection, construction, repair, alteration, and maintenance of residential 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. Further, the rules shall consider the following:
 - 1.1 *The impact that the state residential building code may have upon the health, safety, and welfare of the public;*
 - 1.2 *The economic reasonableness of the residential building code;*
 - 1.3 *The technical feasibility of the residential building code;*
 - 1.4 *The financial impact that the residential building code may have on the public's ability to purchase affordable housing.*
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.

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This code does not prevent a local governing authority from adopting additional regulations governing residential structures if the regulations comply with this section.

3.1. A local governing authority shall, and any person may, notify the board of building standards of any regulation the local governing authority adopts related to content within the scope of this code and request that the board of building standards ~~to~~ determine whether that regulation conflicts with the state residential building code.

3.1.1. Not later than sixty days after receiving a notice to review local regulations for conflict, the board shall determine, based upon a recommendation from the advisory committee, whether the regulation conflicts with the state residential building code and shall notify any person who submitted the notice and the local governing authority that adopted the regulation of the board's determination.

3.1.2 If the board determines that a conflict does not exist, the board shall take no further action with regard to the regulation. If the board determines a conflict exists and the regulation is not necessary to protect the health or safety of the persons within the local governing authority's jurisdiction, the regulation is not valid and the local governing authority may not enforce the regulation.

3.1.3 If the board determines that a conflict exists and that the regulation is necessary to protect the health or safety of the persons within the local governing authority's jurisdiction, the board shall adopt a rule to incorporate the regulation into the state residential building code. Until the rule becomes a part of the state residential building code, the board shall grant a temporary variance to the local governing authority and any similarly situated local governing authority to which the board determines the temporary variance should apply.

101.4 Reasonable application. *The rules of the board and proceedings shall be liberally construed in order to promote its purpose. When the residential 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 officials pursuant to section 116 shall be constructed and installed in accordance with such approval.*

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 state or federal law. *An approval by the board of building standards 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.*

102.2.1 Rules of the board. *The rules of the board of building standards 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 board of building standards, 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.*

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.

Unless specified otherwise in this code, reference in adopted sections to the term "International Residential Code" shall be changed to "residential code"; reference to "International Fire Code" shall be changed to "fire prevention code"; and reference in design and construction provisions to "one-and two-family dwellings" shall be changed to "one-, two-, and three-family dwellings."

Because the "International Code Council" has placed design and construction information throughout its model code documents, including into the fire prevention code, any referenced code requirements relating to the design, construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of every building or structure within the scope of this code, shall be enforced by the residential building official.

Where differences occur between provisions of this code and referenced standards listed in Chapter 43, the provisions of this code shall apply.

102.5 Partial invalidity. In the event 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 section 115 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 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 Non-required 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.

102.7.1 Fire protection systems. Non-required fire protection systems shall be installed in accordance with Chapter 9 of the OBC to the extent of the intended installation.

102.7.2 Elevators and Lifts. When a non-required elevator is intended to be installed, it shall be designed and installed in accordance with the residential elevator provisions in Chapter 10 of the ANSI A117.1 listed in Chapter 35 of the OBC. Non-required platform (wheelchair) lifts shall be designed and installed in accordance with ASME A18.1 listed in Chapter 35 of the OBC.

Section 103

Certified building department.

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 of the Revised Code, municipal, township and county residential building departments and their required personnel shall have been certified by the board of building standards pursuant to section 3781.10 of the Revised Code. Application for certification to the board of building standards 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.

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 residential building department shall conform to the following:

1. **Conformity with law.** The residential building department shall have been created in conformity with law.
 - 1.1 If the residential building department of a municipality does not hold the certification to enforce plumbing provisions, then the enforcement shall be done by the local board of health.
 - 1.2 A political subdivision with a nonresidential building department certified pursuant to OBC section 103.1, qualifies for certification to enforce the Residential Code of Ohio. The political subdivision must submit an application for additional certification in accordance with section 103.2.1. Personnel shall be qualified pursuant to and the department shall comply with the requirements of this section.
2. **Required personnel.** The residential building department 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. All personnel of municipal, township, or county residential building departments, and persons and employees of persons, firms, or corporations whose responsibilities include the exercise of enforcement authority shall be certified by the board of building standards pursuant to section 103.3 prior to performing such duties.
 - 2.1 **Residential building official.** The residential building department shall have in its employ or under contract one person appointed by the municipality, township, or county certified as a residential building official and designated as responsible for the overall administration of a residential building department and enforcement of the rules of the board. The residential building official certification also

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qualifies the individual to perform residential plans examination and residential building inspections;

- 2.2 **Residential plans examiner.** *The residential building department shall have in its employ or under contract at least one person holding a certification as a residential plans examiner or otherwise qualified pursuant to this section, and designated to examine residential construction documents to determine compliance with the rules of the board;*
 - 2.3 **Residential building inspector.** *The residential building department shall have in its employ or under contract at least one person holding a certification as a residential building inspector or otherwise qualified pursuant to this section, and designated to determine compliance with approved residential construction documents in accordance with section 109.7 and applicable provisions of this code;*
 - 2.4 **Plumbing inspector.** *If a residential department of a municipality chooses to be certified to enforce plumbing provisions, then that residential building department shall have in its employ or under contract at least one person holding a certificate as a residential plumbing inspector and designated to determine compliance with approved residential construction documents in accordance with section 109.7 and applicable provisions of this code;*
 - 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 residential construction documents for electrical systems in accordance with section 109.7 and applicable provisions of this code;*
 - 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 residential building official, plans examiner or inspectors;*
 - 2.7 **Replacement personnel.** *When required personnel leave the employ of the residential department, permanent replacement personnel shall be designated in accordance with the rules of the board within one hundred twenty days;*
3. **Contract employees.** *A municipal corporation, township, or county may contract with a certified residential building department, health district, or*

with persons, firms, or corporations under contract to furnish such services, and meeting the requirements of this rule, to exercise enforcement authority, administer these rules, approve residential plans and specifications and perform field inspections on behalf of such municipal corporation, township, or county, providing such authority is exercised pursuant to such contract and upon application to and approval by the board of building standards;

4. **Conflict of interest.** *No employee or person who contracts for services within the jurisdictional area of the residential 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;*
5. **Residential building department office.** *The residential 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; and,*
6. **Availability of inspectors.** *The residential building department shall be staffed to permit all inspectors to be available for requested inspections as required in section 109.1.*

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

1. *Copy of the law creating such a department.*
2. *Copy of a resolution requesting certification of the residential 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 residential 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 residential 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 residential 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 residential 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 residential 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 residential plan approval, a copy of the residential plan review application, and a copy of the residential 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.)*

The board may establish a separate application form with waived requirements for jurisdictions with certified non-residential building departments seeking residential certification.

103.2.2 Residential 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 board of building standards, a public hearing on the application shall be held pursuant to section 3781.101 and Chapter 119. of the Revised Code. The proposed residential building official of the municipality, board of township trustees, or the board of county commissioners or legal counselor, 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 or affirmed and a record of the proceeding shall be made by the board.*

103.2.3 Residential building department certification, approval or denial. *Approval by the board of building standards of an application for certification shall set forth the subject matters for which the municipal, township, or county residential 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 board of building standards, the appropriate official in municipalities, board of township trustees in townships, or the board of county commissioners*

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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 Residential building department certification, reports and assessment.

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

- 1. A yearly operational report within ninety calendar days after the end of each calendar year;*
- 2. Notification of changes in personnel of the residential building department who enforce the rules of the board, within thirty 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 thirty calendar days of receipt.*

103.2.4.2 Board assessment. *Each political subdivision that prescribes fees pursuant to division (F) of section 3781.102 of the Revised Code shall also collect on behalf of the board of building standards an assessment equal to one per cent 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 residential 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 sixty days following the end of each month in which the assessments are collected. In the case of residential building departments under contract to exercise enforcement authority pursuant to section 103.2.1.8, the residential building official shall report and remit to the board for all certified residential departments under contract. The check shall be made payable to the treasurer, state of Ohio.*

103.2.5 Residential 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 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 Residential building department certification, hearings and appeals. *Hearings shall be held by the board of building standards 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 board of building standards.*

103.2.6 Residential building department certification, to be posted. *The certificate issued by the board of building standards to a municipal, township, or county residential building department shall be posted in a conspicuous place in the office of the certified residential building department. In the event of suspension or revocation of certification the residential building official shall, within five days of being notified of such suspension or revocation, surrender to the secretary of the board of building standards, 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 residential buildings specified in section 3781.06 of the Revised Code for which it has been suspended or certification revoked.*

103.3 Residential building department personnel. *The residential department shall have personnel qualified to execute the duties required to enforce the rules of the board.*

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

- 1. Certification as a residential building official qualifies a person to be responsible for the overall administration of a certified residential building inspection department and enforcement of this code. The residential building official certification also qualifies the individual to perform residential plans examination and residential building inspections;*
- 2. Certification as a residential plans examiner qualifies a person to review residential construction documents to determine compliance with the provisions of this code.*
 - 2.1 Certification as a residential plans examiner trainee qualifies a person to review residential construction documents under the direct supervision of an individual holding a certification as either a nonresidential master plans examiner or a residential plans examiner.*

3. *Certification as a residential building inspector qualifies a person to inspect residential buildings, HVAC systems and the associated refrigeration, fuel gas, and heating piping, in accordance with section 109.7 to determine compliance with the approved residential construction documents.*

3.1 *Certification as a residential building inspector trainee qualifies a person to inspect residential buildings, HVAC systems and the associated refrigeration, fuel gas, and heating piping, under the direct supervision of an individual holding a certification as a residential building official or residential inspector.*

4. *An electrical safety inspector certification qualifies a person to inspect residential electrical systems in accordance with section 109.7 to determine compliance with the approved residential construction documents.*

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

5. *A residential plumbing inspector certification qualifies a person to inspect residential plumbing systems in accordance with section 109.7 to determine compliance with the approved residential construction documents.*

5.1 *A plumbing inspector trainee certification qualifies a person to inspect residential plumbing systems under the direct supervision of an individual holding a plumbing inspector certification.*

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 board of building standards 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 regulated by the OBC or RCO shall be acceptable for any residential certification.*
2. *Only enforcement, inspection, or plans examination experience performed in compliance with one of the following shall be acceptable as credit for any residential certification:*

2.1 *Performing code enforcement functions for an agency or jurisdiction outside the state of Ohio or in a jurisdiction enforcing*

a model residential building code of a national model code organization or a code adopted for residential buildings or structures of the types regulated by the rules of the board; or

2.2 *An individual performing code enforcement functions for a certified residential or non-residential building department who is a holder of a board certification other than that for which application is being made.*

2.3 *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. In evaluating experience it shall be equivalent experience that provided knowledge as determined by the board of building standards. The experience must provide knowledge of different construction methods, processes and types.*

2.4 *Experience prior to May 27, 2005, enforcing the provisions of a residential code of a model code organization recognized by the board for residential structures of types regulated by the rules of the board may be considered.*

3. *For a residential building 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 Residential building official. *An applicant for a residential building official certification shall meet one of the following requirements:*

1. *Ohio registration as an architect or professional engineer;*
2. *At least five years experience as a residential contractor or non-residential contractor or superintendent with responsibility for obtaining approvals and inspections of structures regulated by the rules of the board, or*
3. *Experience as specified in section 103.3.3(2).*

103.3.3.2 Residential plans examiner. *An applicant for a residential plans examiner certification shall meet one of the following requirements:*

1. *Ohio registration as an architect or professional engineer;*

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2. *At least five years experience in building design and construction for residential or non-residential buildings or structures regulated by the rules of the board or experience specified in section 103.3.3(2); or*
3. *Successful completion of a trainee program pursuant to section 103.3.9.*

103.3.3.3 Residential building inspector. *An applicant for a residential building inspector certification shall meet one of the following requirements:*

1. *At least three years experience as a contractor or supervisor for residential or non-residential buildings or structures regulated by the rules of the board or experience as specified in section 103.3.3(2); or*
2. *At least three years experience as a skilled tradesman for work subject to inspection under a code adopted for buildings or structures regulated by this code or the OBC; or,*
3. *Successful completion of a trainee program pursuant to section 103.3.9.*

103.3.3.4 Residential plumbing inspector. *An applicant for a residential plumbing inspector certification shall meet one of the following requirements:*

1. *At least three years experience as a plumbing contractor or supervisor for residential or non-residential buildings or structures regulated by the rules of the board or experience as specified in section 103.3.3(2); or*
2. *At least three years experience as a skilled tradesman for plumbing work subject to inspection under a code adopted for buildings or structures regulated by this code or the OBC; or,*
3. *Successful completion of a trainee program pursuant to section 103.3.9.*

103.3.4 Examination requirements of the applicant. *Applicants meeting the appropriate experience requirements of section 103.3.3 shall 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 residential 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, or legible reproductions, (all eight and one-half inches by eleven 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. A non-refundable fee of thirty dollars shall be remitted with the application.

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 ninety 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, based upon recommendations of the advisory committee, 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 any mandatory board sponsored continuing education courses and complete at least thirty 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. The term of the certificate for applicants granted interim approval, 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.. The term of all 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 board of building standards at least thirty 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 thirty dollars and evidence of having attended board-sponsored required continuing education courses or their board-approved equivalents and successfully completed thirty 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 after one year 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; or*
3. *Gross negligence, incompetence, or misconduct in performance of his duties;*
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. *The certificate holder shall be notified of the charges by certified mail, return receipt requested. The certificate holder shall be informed that a hearing before the board must be requested thirty days from the date of the mailing. The applicant may be represented by counsel;*
2. *The board shall schedule a hearing seven to fifteen 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 fifteen 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 "Residential Code of Ohio for One-, Two-, and Three-Family Dwellings".*

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2. A trainee applicant shall be under the direct supervision of a trainee supervisor.
3. A residential building or plumbing inspector trainee applicant shall also have at least one year experience as a skilled tradesman for work subject to inspection under a model residential or non-residential code of a national model code organization or a code adopted for buildings or structures regulated by this code or the OBC, or 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 thirty 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 twenty-five 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 residential 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 residential building or plumbing inspector trainee shall complete at least one hundred hours of approved continuing building code education courses. The trainee shall perform at least twenty-five 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 prior to the completion of the trainee program.

A residential plans examiner trainee shall perform at least twenty-five plans examinations yearly under the direct supervision of the trainee supervisor and complete at least one hundred hours of approved continuing building code education courses. The trainee shall also complete the appropriate examination requirement pursuant to section 103.3.4 prior to the completion of the trainee program.

103.3.9.6 Education credit. An applicant for a building 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 nine hundred 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.
4. Masonry.
5. Plumbing and pipefitting.
6. Building maintenance.
7. Fire fighting.

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

SECTION 104

DUTIES AND POWERS.

104.1 General. *The residential building official in a municipality, township, or county, whose residential building department has been certified by the board of building standards, shall enforce provisions of the rules of the board and of Chapters 3781. and 3791. of the Revised Code, relating to construction of residential 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 standards*

referenced in this code to the extent that this 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 residential code refers, to the extent of the reference, they shall be enforced by the building official.*
2. **Health.** *The boards of health of a city or general health district, or the residential building departments of municipal corporations 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 approvals 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 permanent record of the installation and location of every drain and sewerage system of the city.*
4. **Enforcement.** *This section does not exempt any officer or department from the obligation of enforcing any provision of the rules of the board.*

104.2 Applications and approvals. *The residential 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 residential 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 residential building official shall issue all necessary notices or orders to ensure compliance with this code. When the residential building official finds that work or equipment is contrary to approved residential plans and the rules of the board, the residential 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.*

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104.4 Inspections. *If the plans for the erection, construction, repair, alteration, relocating, or equipment of a residential building are subject to inspection by the residential building official, under section 109, the residential 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.*

104.5 Identification. *The residential 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 residential building official, or designee, is authorized to enter the residential 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 residential building official has probable cause to believe that there exists in a residential structure or upon a premises a condition which is a serious hazard the residential building official shall have recourse to the remedies provided by law to secure entry.*

104.7 Department records. *The residential building official shall keep official records of applications received, certificate of residential 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 residential construction documents shall be retained by the residential building official for a period of not less than as required by document retention schedule established in accordance with sections 149.38 or 149.39 of the Revised Code.*

104.8 Liability. *Liability of certified residential 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 Alternative materials, design and methods of construction and equipment. *The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved in accordance with section 116. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of section 116.*

104.9.1 Tests. *Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order*

to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

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 residential building or structure, or portion thereof, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, plumbing system, other residential 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.*

105.2 Work exempt from approval. *Approvals shall not be required for the following. Exemption from the requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.*

Building:

1. One-story detached accessory structures, provided the floor area does not exceed 200 square feet (18.58 m²).
2. Fences not over 6 feet (1829 mm) high.
3. Retaining walls that 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.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment accessory to a one, two, or three-family dwelling.

9. 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.

Electrical:

Repairs and maintenance: *Approval* shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation appliances.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, 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.

The clearing of stoppages or the repairing 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.

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 business day to the *residential building official*.

105.2.2 Repairs. *Minor repairs to residential structures may be made without application or notice*

to the residential building official. Such repairs shall not include the cutting away of any wall, partition 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.

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

1. Identify and describe the work to be covered for which application is made *for approval*.
2. Describe the land on which the proposed work is to be done, street address or similar description that will readily identify and locate the proposed building or work.
3. Be accompanied by residential construction documents and other information as required in section 106.3.
4. Be signed by the *owner*, or the *owner's* authorized agent.
5. Give such other data and information as required by the *residential building official*.

105.3.1 Plan review. *Before a residential building or addition to a residential building is constructed or erected, and before a residential building is altered or relocated, or equipment is installed construction documents relating to the work and equipment under consideration shall be prepared in conformity with section 106 and be submitted to the residential building official for examination.*

105.3.1.1 Residential plan examiner. *A certified residential or non-residential plan examiner shall review residential construction documents to determine compliance with this code.*

105.3.1.2 Professionally prepared 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 residential construction documents with other requirements of this code.*

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105.3.1.3 Residential fire protection system construction documents. Residential 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 residential construction documents under this rule is a "license" and the failure to approve such plans as submitted within thirty 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 residential construction documents have been reviewed for compliance with the rules of the board, a correction letter-adjudication order has been issued to the owner, and the owner has neither exercised the right to appeal 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 residential building, and any addition thereto, and the equipment and maintenance thereof, shall conform to required residential construction documents which have been approved by the residential 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 residential structure built in accordance with approved plans shall be conclusively presumed to comply with Chapters 3781. and 3791. of the Revised Code and this code.

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

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

One extension shall be granted for an additional twelve-month period if requested by the owner at least ten days in advance of the expiration of the approval and upon payment of a fee not to exceed one hundred dollars.

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 ten days in advance of the expiration of the approval and upon payment of a fee for each extension of not more than one hundred dollars.

105.7 Certificate of plan approval and posting. After construction documents have been approved, the residential 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 residential building official and shall show the serial number of the certificate, the address at which the residential building or equipment under consideration is or is to be located, the name and address of the owner, the signature of the residential building official who issued the certificate, and such other information as is necessary to facilitate and insure the proper enforcement of the rules of the board.

105.7.2 Posting. The owner and the contractor shall, so far as practical, preserve and keep the certificate, or copy thereof, posted on site until the completion of the work to which the approved plans relate.

105.8 Non-required 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 to the extent of the installation. Also see section 101.7.

105.9 Responsibility. It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code.

SECTION 106

CONSTRUCTION DOCUMENTS.

106.1 Submittal documents. Residential construction documents and other data shall be submitted in two or more sets with each application for an approval. Before beginning the construction of any residential building for which construction documents are required under section 105, the owner or the owner’s representative shall submit construction documents to the residential building official for approval. When construction documents have been found to be in compliance with the rules of the board of building standards in accordance with section 106.3 by a certified residential building department, that compliance shall be deemed sufficient to obtain approval for construction pursuant to section 105.7 and the residential building official shall issue the certificate of plan approval.

106.1.1 Information on residential construction documents. Residential construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the residential 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, plumbing, and fire protection codes such as:

1. **Index.** An index of drawings located on the first sheet;
2. **Site plan.** A site plan showing to scale the size and location of new residential 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. 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 residential 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. Residential buildings or structures located in flood hazard areas. Construction documents submitted for residential buildings or structures located in communities with identified flood hazard areas 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. 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 how each space is intended to be used;
4. **Exterior wall envelope.** The residential 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 residential building including floor to floor dimensions, and details around openings.
5. **Sections.** Cross sections, wall sections, details including typical connections as required to fully describe the residential building construction showing wall, ceiling, floor and roof materials. Residential construction documents shall describe the exterior wall envelope in sufficient detail to determine compliance with this code.
6. **Structure.** Complete structural description of the residential building including size and location of all structural elements used in the design of the residential building and other data as required to fully describe the structural system;
7. **Ratings.** The fire-resistance ratings of all structural elements as required by this code,

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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;

8. **System descriptions.** *Description of the mechanical, plumbing and electrical systems, including: materials; location and type of fixtures and equipment; materials, and sizes of all ductwork; location and type of heating, ventilation, air conditioning and other mechanical equipment; and all lighting and power equipment;*
9. **Additional information.** *Additional graphic or text information as may be reasonably required by the residential building official to allow the review of special or extraordinary construction methods or equipment.*

106.1.1.1 Fire protection system drawings. *Construction documents for the fire protection system(s) shall be submitted to indicate conformance with this code and shall be approved prior to the start of system installation.*

106.1.2 Manufacturer's installation instructions. *Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.*

106.4 Amended construction documents. *If substantive changes to the residential building are contemplated after first document submission, or during construction, those changes must be submitted to the residential building official for review and approval prior to those changes being executed. The residential building official may waive this requirement in the instance of an emergency repair, or similar instance.*

SECTION 107

TEMPORARY STRUCTURES.

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

107.2 Conformance. *Temporary residential 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 Termination of approval. *The residential building official is authorized to terminate approval for a temporary residential structure or occupancy and to order the temporary residential structure or occupancy to be discontinued.*

SECTION 108

FEES.

108.1 Payment of fees. *An approval shall not be valid until the fees prescribed by the jurisdiction have been paid. Nor shall an amendment to an approval be released until the additional fee, if any, has been paid.*

108.2 Schedule of fees. *On residential buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring an approval, a fee for each approval shall be paid as required, in accordance with the schedule as established by the jurisdiction.*

108.3 Related fees. *The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by an approval shall not relieve the applicant from the payment of other fees that are prescribed by law.*

SECTION 109

INSPECTIONS.

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

109.2 Types of inspections. *For onsite construction, from time to time the residential building official, upon notification from the owner or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the owner or his or her agent wherein the same fails to comply with this code.*

109.3 Required inspections. *The residential building official, upon notification, shall cause the inspections set forth in sections 109.3.1 to 109.3.7 to be made by an appropriately certified inspector in accordance with the approved residential construction documents.*

109.3.1 Footing and foundation inspection. *Footing and foundation inspections shall be made as determined by the residential building official.*

109.3.2 Concrete slab or 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. The elevation certification required in section 323 shall be submitted to the residential building official.

109.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking 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. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

109.3.5 Fire-resistance rated construction inspection. Where fire-resistance rated construction is required between dwelling units or due to location on property, the residential building official shall require an inspection of such construction after all lathing and/or wallboard is applied, or before wallboard joints and fasteners are taped and finished.

109.3.6 Other inspections. In addition to the inspections specified above, the residential building official is authorized to make or require other inspections of any residential construction work to ascertain compliance with the provisions of this code.

109.3.6.1 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.

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

109.4 Inspection agencies. The building official is authorized to accept reports of inspection agencies, provided such agencies are qualified.

109.4 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 residential building official. The residential 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 residential department having jurisdiction finds that any work in connection with the location, erection, construction, repair, alteration, moving, or equipment of a residential building is contrary to the approved residential construction documents and the rules of the board, and the owner refuses to, or does not bring such work or equipment into conformity with the residential construction documents or the rules of the board, the inspector shall make a written report of his finding to the residential 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 residential 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 109.3.6.1. The board or its designee and the building official shall determine the

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corrective action to be taken before the building is approved to be occupied.

109.8 Testing. Residential building service equipment shall be tested as required by this code and applicable referenced standard. Advanced notice of the test schedule shall be given to the residential code official. Required tests shall be conducted at the expense of the owner or owner's representative. When required by the residential code official, the tests shall be conducted in the presence of certified building department personnel. Testing and inspection records shall be made available to the residential code official, upon request, at all times during the fabrication of the systems and the erection of the residential building.

109.8.1 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.

109.8.2 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.

109.8.3 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 and, upon correction, the code official shall be notified.

SECTION 110

CERTIFICATE OF OCCUPANCY.

110.1 Approval required to occupy. No residential building or structure, in whole or in part, shall be used or occupied until the residential 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 residential building shall be used. The building owner shall only use the structure in compliance with the certificate of occupancy and any stated conditions. The residential structure and all approved building service equipment shall be maintained in accordance with the approval. When a residential building or structure is entitled thereto (constructed according to the approved construction documents, final tests and inspections are completed, no orders of the building official are outstanding), the residential building official shall issue a certificate of occupancy in a timely manner.

110.1.1 New residential buildings. A residential 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 residential building official.

110.1.2 Residential building alterations or additions. A residential 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 residential building which are unaffected by the work of alteration shall be allowed to continue if the residential building official determines the existing spaces can be occupied safely until the completion of the alteration.

110.1.3 Existing buildings. Upon written request from the owner of an existing residential building or structure, the residential building official shall issue a certificate of occupancy, provided there are no violations of law or orders of the residential 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.

110.1.4 Partial occupancy. Upon the request of the owner or owner's representative, a residential building official shall issue a certificate of occupancy before the completion of the entire work, provided that the residential building official determines that the space can be safely occupied prior to full completion of the residential 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 residential 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 residential 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 residential building official has approved the use for an alternative purpose on a temporary basis;
4. The residential building official has issued a certificate of occupancy indicating any special conditions under which the residential building or part of the building can be used for the alternative purpose within the time limit specified.

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

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 residential 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. *The name and address of the owner.*
4. *A description of that portion of the structure for which the certificate is issued.*
5. *The signature of all residential building officials having jurisdiction. When more than one residential building official has jurisdiction for a residential building (when the certification of the building department is limited for systems such as plumbing or piping systems) each shall sign the certificate of occupancy with an indication of the scope of their individual approvals.*
6. *The edition of the residential code under which the plan approval was issued.*
7. *When an automatic sprinkler system is provided, the type and description of the system shall be indicated.*
8. *Any special stipulations and conditions of the plan approval including any variances granted to the requirements of this code.*

110.4 Temporary occupancy. *The residential building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the approval, provided that such portion or portions shall be occupied safely. The residential building official shall set a time period during which the temporary certificate of occupancy is valid.*

110.5 Revocation. *The residential building official shall, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.*

SECTION 111

SERVICE UTILITIES.

111.1 Connection of service utilities. *No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which an approval is required, until approved by the residential building official.*

111.2 Temporary connection. *The residential building official shall have the authority to authorize and 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. *The residential building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in section 102.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by section 111.1 or 111.2. The residential building official shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.*

SECTION 112

BOARD OF APPEALS.

112.1 General. *In order to hear and decide appeals of orders, decisions or determinations made by the residential building official relative to the application of this code, there shall be a local appeals process within the certified jurisdiction.*

SECTION 113

VIOLATIONS.

113.1 Adjudication orders, required before legal proceedings. *Before any department or any political subdivision attempts to enforce this code 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 this code.*

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

113.2 Notice of violation. *The residential 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 residential building or structure. When the residential building official finds that work or equipment is contrary to approved residential construction documents and the rules of the board, the residential building official shall send a notice in writing to the owner of said residential 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 residential building for which the approval is invalid, the owner of the residential 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 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 residential construction documents as required by this code and fails to comply with an adjudication order issued under section 113.1, said owner may be prosecuted and is subject to a fine of not more than five hundred dollars 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 residential building official, and fails to comply with an adjudication order issued under section 113.1 and the time of appeal has expired, then the residential 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 any work regulated by this code is being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the residential building official is authorized to issue a stop work order whenever the building official finds, after inspection, that the site preparations, structure being constructed, the use of an appliance, materials, assemblage, or manufactured product does not comply with the provisions of Chapters 3781. and 3791. of the Revised Code or this code. 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. *No person 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

EXISTING BUILDINGS AND STRUCTURES.

115.1 General . *Provisions within this section shall control the alteration, repair, addition and change of occupancy if existing residential buildings.*

115.2 Maintenance. *Residential buildings, structures and the building equipment shall be maintained in a safe and sanitary condition and in accordance with the condition(s) established in current and any previous plan approvals and certificates of occupancy. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance.*

The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures without approval of the building official.

115.3 Definitions. *The following terms shall, for the purposes of this section and as used elsewhere in the code, have the following meanings:*

CHANGE OF OCCUPANCY. *A change in the purpose or level of activity within a structure that involves a change in the application of the requirements of the code.*

HISTORIC BUILDINGS. A residential building meeting one of the following criteria:

1. Listed or preliminarily determined to be eligible for listing in the “National Register of Historic Places”; or
2. Determined by the secretary of the U.S. department of interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or
3. Designated as historic under a state or local historic preservation program that is approved by the U.S. department of interior.

115.4 Additions and Alterations. Additions or alterations to residential buildings shall conform with the requirements of the code for new construction and shall be approved by the residential building official. Additions or alterations shall not be made to an existing building or structure which will cause the existing building or structure to be in violation of any provisions of this code. Except as otherwise provided for in section R313.1.1, portions of the structure not altered and not affected by the alteration are not required to comply with the code requirements for a new structure.

Exception: For buildings and structures in flood hazard areas, any additions, alterations or repairs that constitute substantial improvement of the existing structure, shall comply with the flood design requirements for new construction and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

115.5 Alterations to systems, components and materials. Alterations to an existing system (egress, fire protection, mechanical, plumbing, etc.) and materials or building components not otherwise provided for in this section, shall conform to that required for new construction to the extent of the alteration. The existing systems, materials or components shall not be required to comply with all of the requirements of this code for new construction except to the extent that they are affected by the alteration. Additions or alterations to existing systems materials or components shall not cause them to become unsafe, hazardous, overloaded or become less effective than when originally installed, constructed and/or approved.

115.6 Replacement and repairs to systems, components and materials. Replacement of building components, and repairs to existing systems and materials or building components not otherwise provided for in this section, shall not be required to meet the provisions for new construction, provided such work is done in accordance with the conditions of the existing approval in the same

manner and arrangement as was in the existing system, is not less safe than when originally installed and is approved.

115.6.1 Door and window dimensions. Minor reductions in the clear opening dimensions of replacement doors and windows that result from the use of different materials shall be allowed, whether or not they are permitted by this code.

115.6.2 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 residential building official.

115.7 Changes in occupancy. A residential building, accessory structure, or space within a residential building shall not change in its use or purpose unless it is made to comply with the requirements of this code for such use and approved by the building official. An approval is not required when the code requirements are the same for both uses.

115.7.1 Use of a residential building for other purposes. No change of occupancy to uses within the scope of the OBC shall be made to any existing residential building, space within, or accessory structure unless such building is made to comply with the requirements of the OBC for such occupancy and approved by the building official with OBC enforcement authority.

115.7.2 Type A family day care homes. A residential building that is intended to be used in whole or in part as a licensed type A family day-care home shall be inspected in accordance with the type A family day-care home checklist (available from the board of building standards). The residential building official shall issue a report of the findings to the Ohio department of jobs and family services.

115.8 Moved structures. Structures moved shall be safe and sanitary and any repair, alteration, or change in occupancy shall comply with the provisions of this code for new structures. Field work, building location, foundations and foundation connections, wind loads, seismic loads, snow loads, and flood loads, shall comply with the requirements of this code.

The building official shall be authorized to inspect, or require inspection at the expense of the owner, the various components of a relocated building to verify that they have not sustained damage. Building service equipment, mechanical, plumbing, and fire protection systems shall be tested to assure that they are in operating condition. Any repairs or alterations required as a result of such inspections shall be approved and completed prior to issuance of the certificate of occupancy.

115.9 Historic buildings. The provisions of this code relating to the construction, repair, alteration, addition,

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restoration and movement of structures, and change of occupancy shall not be mandatory for historic buildings where such buildings are judged by the building official to not constitute a distinct life safety hazard.

115.9.2 Flood hazard areas. Within flood hazard areas established, the building shall be brought into conformance with section 323.

Exception: Historic buildings.

SECTION 116

ALTERNATE METHODS, MATERIALS AND EQUIPMENT.

116.1 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 116.1.1 or section 116.1.2.

Exception: Industrialized units constructed in accordance with the OBC.

116.1.1 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 of the OBC and shall be deemed to be approved provided such material, appliance, equipment or method of construction complies with the conditions listed in the report, meets the intent of this code and does not conflict with applicable rules adopted by the board.

116.1.2 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 section 118.2.2 of the OBC.

116.2 Alternative engineered design. The design, documentation, inspection, testing and approval of an alternative engineered system shall comply with sections 116.2.1 to 116.2.3 of this rule.

116.2.1 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.

116.2.2 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.

116.2.3 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.