

4101:1-1-01 Administration.**Section 101**
General

101.1 Incorporation by reference, title and rules of construction. Except as provided in Chapters 4101:1-1 to 4101:1-35 of the Administrative Code, the International Building Code 2021 edition, Chapters 2 through 35 and appendix H, as published by the “International Code Council, Inc.” including all subsequently published errata and printings, and readily available at <https://www.iccsafe.org>, are hereby incorporated by reference in accordance with sections 121.71 to 121.74 of the Revised Code as if set out at length herein.

101.1.1 Rules of construction. The following rules of construction are to be applied to Chapters 4101:1-1 to 4101:1-35 of the Administrative Code:

- 1. All references to the International Building Code, International Mechanical Code, International Plumbing Code, and International Residential Code mean the Ohio Building Code, Ohio Mechanical Code, Ohio Plumbing Code, and Residential Code of Ohio, respectively, unless otherwise noted. References to “this code” in Chapters 4101:1-1 to 4101:1-35 of the Administrative Code mean the “Ohio Building Code.” References to “building code” in divisions 4101:1, 4101:2, 4101:3 and 4101:8 of the Administrative Code mean “Ohio Building Code.”**
- 2. The phrase “applicable energy conservation code referenced in Chapter 13” is substituted for “International Energy Conservation Code.”**
- 3. Except as otherwise noted and in Chapter 34 of this code, “Chapter 34” is substituted for “International Existing Building Code.”**
- 4. The terms “approval” or “approvals” are substituted for “permit” or “permits,” respectively, when referring to documentation indicating compliance with this code.**
- 5. The phrase “owner’s representative” is substituted for “owner’s authorized agent.”**
- 6. Except as otherwise noted, “building official” is substituted for “fire code official.”**
- 7. The phrase “building official” is substituted for “code official.”**
- 8. The provisions of this code are mandatory whether or not the term “shall” is used.**

101.2 Scope. The provisions of the “Ohio Building Code,” the “Ohio Mechanical Code,” and the “Ohio Plumbing Code” apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any

appurtenances connected or attached to such buildings or structures. As provided in division (B) of section 3791.04 of the Revised Code, no plans or specifications are to be approved or inspection approval given unless the building represented by those plans or specifications would, if constructed, repaired, erected, or equipped according to those plans or specifications, comply with Chapters 3781. and 3791. of the Revised Code and any rules adopted by the board. An owner may exceed the requirements of the "Ohio Building Code" in compliance with section 102.9. This code applies to detached one-, two-, and three-family dwellings and structures accessory to those dwellings only to the extent indicated in section 310 of this code.

Exceptions:

1. Detached one-, two-, or three- family dwellings, structures accessory to those dwellings, one-, two-, and three-family dwellings used as models, or those single family dwellings with five or fewer persons receiving care in a supervised environment but capable of self-preservation with or without limited verbal or physical assistance are within the scope of the "Residential Code of Ohio for One-, Two-, or Three-Family Dwellings".
2. Buildings owned by and used for a function of the United States government.
3. Buildings or structures which are incident to the use for agricultural purposes of the land on which said buildings or structures are located, provided such buildings or structures are not used in the business of retail trade; for the purposes of this section, a building or structure is not considered used in the business of retail trade if fifty per cent or more of the gross income received from sales of products in the building or structure by the owner or operator is from sales of products produced or raised in a normal crop year on farms owned or operated by the seller (see sections 3781.06 and 3781.061 of the Revised Code).
4. Agricultural labor camps.
5. Type A or Type B family day-care homes, except for the inspection required for licensure by the "Ohio Department of Jobs and Family Services (ODJFS)". This required inspection is conducted by the certified building department having jurisdiction or the division of industrial compliance and labor in accordance with the inspection checklist found on the board of building standard's website.
6. Buildings or structures which are designed, constructed, and maintained in accordance with federal standards and regulations and are used primarily for federal and state military purposes where the U.S. secretary of defense, pursuant to 10 U.S.C. Sections 18233(A)(1) and 18237, has acquired by purchase, lease, or transfer, and constructs, expands, rehabilitates, or corrects and equips, such buildings or structures as he determines to be necessary to carry out the purposes of Chapter 1803 of the U.S.C.

7. Manufactured homes constructed under “24 CFR Part 3280,” “Manufactured Home Construction and Safety Standards” and within the scope of the rules adopted by the division of industrial compliance of the department of commerce, including additions, alterations and all utility connections from the utility service point to the manufactured home. This exception does not apply to changes of occupancy of manufactured homes, except that a manufactured home located within a manufactured home park and used by the park operator to promote the sale/rental of manufactured homes in that park remains exempt.
8. Sewerage systems, treatment works, and disposal systems (tanks, piping, and process equipment associated with these systems) regulated by the legislative authority of a municipal corporation or the governing board of a county or special district owning or operating a publicly owned treatment works or sewerage system as stated in division (A) of section 6111.032 of the Revised Code, however, a building that houses such process equipment is within the scope of this code.
9. Building sewer piping.
10. Amusement rides and portable electric generators and wiring supplying carnival and amusement rides regulated by the Ohio Department of Agriculture pursuant to Chapter 993. of the Revised Code.
11. Structures on the premises of and directly related to the operation of a generating plant defined as a major utility facility regulated by the power siting board, including the structures associated with generation, transmission, and distribution. As a condition of the power siting board’s approval, the building department may be requested to review and inspect these structures for compliance with the rules of the board of building standards. However, the building department has no enforcement authority.
12. Buildings or structures used for equipment housings and enclosures, telemetry enclosures, and associated tanks, foundations, platforms, process piping and equipment on the premises of and directly associated with the operation of pipelines regulated by federal or state agencies and used for the gathering, transmission, or distribution of natural gas or other gas or liquid hydrocarbons.
13. Public water systems (the tanks, foundations, piping, and process equipment associated with these systems) regulated by the Ohio Environmental Protection Agency in accordance with division (A) of section 6109.07 of the Revised Code, however, a building that houses such process equipment is within the scope of this code.
14. Private water systems (the tanks, foundations, piping, and process equipment associated with these systems) regulated by the Ohio Department of Health in accordance with section 3701.344 of the Revised

- Code, however, a building that houses such process equipment is within the scope of this code.
15. Fixed or floating docks (including the electrical wiring, lighting, and fire protection systems serving the docks) at marinas or boatyards, unless the docks directly serve as a means of egress from, or an accessible route to, a regulated building located at the marina or boatyard.
 16. Floating buildings that have been issued a Hull Identification Number (HIN) and a vessel registration from the Ohio department of natural resources division of parks and watercraft.
 17. Portable mobile vehicles which have been issued a Vehicle Identification Number (VIN) by the United States department of transportation. The vehicles have wheels and license plates and are intended for transportation on the public streets and highways. Examples of the exempt vehicles include, but are not limited to, recreational vehicles, book mobiles, blood mobiles, mobile medical imaging units, mobile concession trailers, network television transmission and production trailers used at sporting events, mobile restroom facilities, mobile pet grooming units, etc.
 18. Wind turbines and solar arrays not connected to building services equipment.
 19. Pumps, site lighting, and flagpoles not connected to building services equipment.
 20. Mine elevator shafts and structures.
 21. Unless otherwise required by this code, ground signs not over six feet in height above the adjacent grade.
 22. Signs erected by federal, state and local transportation authorities.
 23. Oil or gas beam pumping units and derricks.
 24. Bungee jumping and zip line structures, and miniature golf courses.
 25. Retaining walls, bridges, walkways or site stairs unless associated with or necessary for the building or the building egress to comply with the rules of the board.
 26. Primitive transient lodging structures with only provisions for sleeping, with no building services equipment or piping, and not greater than 400 sq. ft. in area.
 27. Intermodal shipping or freight containers, moving containers, storage containers, if used exclusively as a storage container temporarily for a period not to exceed 180 days.
 28. Underground storage tanks regulated by the bureau of underground storage tank regulations (BUSTR) of the state fire marshal.
 29. Mobile computing units as defined in section 3781.06 of the Revised Code.
 30. Industrialized units exempt from regulation in accordance with division 4101:10 of the Administrative Code.

101.3 Intent. The purpose of this code is to establish uniform minimum requirements for the erection, construction, repair, alteration, and maintenance of buildings, including construction of industrialized units in order to provide a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions, and to provide a reasonable level of safety for fire fighters and emergency responders during emergency operations. Such requirements also relate to the conservation of energy, safety, and sanitation of buildings for their intended use and occupancy with consideration for the following:

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

The rules of the board and proceedings shall be liberally construed in order to promote its purpose. When the building official finds that the proposed design is a reasonable interpretation of the provisions of this code, it shall be approved. Materials, equipment and devices approved by the building official pursuant to section 114 are to be constructed and installed in accordance with such approval.

101.4 Referenced standards and codes. The other codes listed in sections 101.4.1 to 101.4.6 and referenced elsewhere in this code are part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Gas. The provisions of the International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.2 Mechanical. Chapters 4101:2-1 to 4101:2-15 of the Administrative Code, designated as the “Ohio Mechanical Code” or the “mechanical code,” apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or

appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy-related systems.

101.4.3 Plumbing. Chapters 4101:3-1 to 4101:3-15 of the Administrative Code, designated as the “Ohio Plumbing Code” or the “plumbing code,” apply to the installation, alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewerage system and all aspects of a medical gas system. The rules of the “Ohio Department of Health,” chapter 3701-29 of the Administrative Code, govern for household sewage disposal systems, also known as private sewage disposal systems.

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

101.4.5 Fire prevention. The provisions of the “Ohio Fire Code” (Chapters 1301:7-1 to 1301:7-7 of the Administrative Code), designated as the “fire code,” apply to the preventive measures which provide for fire-safe conduct such as fire drills and fire safety and evacuation plans and provides for fire-safe operations in buildings such as good housekeeping practices for combustible commodity storage; storage, handling, and use of flammable and combustible solids, liquids and gases and other hazardous materials; and processes to reduce the risk from the hazards of fire and explosion and includes the maintenance of fire-detection, fire alarm, fire extinguishing equipment and systems, exit facilities, opening protectives, and other fire- safety devices and protection features.

101.4.6 Boiler. The provisions of the “Ohio Boiler and Pressure Vessel Rules” (Chapters 4101:4-1 to 4101:4-10 of the Administrative Code) apply to the design, construction, repair, alteration and maintenance of boilers and unfired pressure vessels as listed and defined therein.

Section 102 **Applicability and Jurisdictional Authority**

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

102.2 Other laws. The provisions of this code are not to be deemed to nullify any provisions of state or federal law. Municipal corporations may make further and additional regulations, not in conflict with Chapters 3781. and 3791. of the Revised Code or with the rules of the board of building standards. However, 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 constitute approval for their use anywhere in Ohio.

102.3 Other rules. As provided in division (B) of section 3781.11 of the Revised Code, the rules of the board of building standards supersede and govern any order, standard, or rule of the divisions 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.

There may be other requirements owners may be required to meet as set forth by other licensing agencies such as the Ohio State Fire Marshal, Ohio Department of Health, the Ohio Department of Jobs and Family Services, Ohio Department of Mental Health and Addiction Services, Ohio Department of Developmental Disabilities, federal agencies, or other licensing authorities. Owners and designers should investigate these additional licensing agency requirements to ensure they are incorporated into the building design before submitting to the certified building department for plan approval.

The rules of the board of building standards adopted pursuant to section 3781.10 of the Revised Code govern any rule or standard adopted by the board pursuant to sections 4104.02 and 4105.011 of the Revised Code.

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

102.5 Referenced codes and standards. When a reference is made within the building, mechanical, or plumbing codes to a federal statutory provision, an industry consensus standard, or any other technical publication, the specific date and title of the publication as well as the name and address of the promulgating agency are listed in Chapter 35 of the building code, Chapter 15 of the mechanical code, or Chapter 15 of the plumbing code.

The codes and standards referenced in the building, mechanical, and plumbing codes are considered part of the requirements of these codes as though the text were printed in this code, to the prescribed extent of each such reference. Where differences occur between provisions of these codes and the referenced standards, the provisions of these codes apply.

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

102.7 Existing structures. The provisions of the International Existing Building Code as modified by Chapter 34 of this code control the alteration, repair, addition, maintenance, relocation, 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 there are no orders of the building official pending, no evidence of fraud, or no serious safety or sanitation hazard.

102.8 Temporary structures. The building official is authorized to issue approvals for temporary structures. Such approvals are to be in the form of a “Certificate of Occupancy for a Temporary Building” in accordance with section 111.1.6. This section does not apply to time-limited occupancies in existing structures. See section 111.1.5 for time-limited occupancies.

102.8.1 Conformance. Temporary structures are to conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code only to the extent necessary to ensure the public health, safety and general welfare. Temporary tents and membrane structures are to also comply with the applicable provisions in section 3103.

102.8.2 Termination of approval. The building official is authorized to terminate approval for a temporary structure and to order the temporary structure to be discontinued if conditions of the approval have been violated or the structure or occupancy poses an immediate hazard to the public or occupants of the structure.

102.9 Non-required work. Any component, building element, equipment, system or portion thereof not required by this code are to be permitted to be installed as a partial or complete system provided that it is constructed or installed in accordance with this code to the extent of the installation.

102.10 Work exempt from approval. Approval is not required for the following work; however, this work is still to comply with all applicable provisions of the rules of the board:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed one hundred twenty square feet (11.15 m²) and playground structures.
2. Fences not over seven feet (1829 mm) high.
3. Retaining walls which are not over four feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
4. Water tanks supported directly upon grade if the capacity does not exceed five thousand gallons (18 927 L) and the ratio of height to diameter or width does not exceed two to one.
5. Sidewalks, parking lots and driveways not more than thirty inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.
6. Finishes not regulated by this code, decorating, or other work defined as maintenance or minor repair.
7. Temporary motion picture, television and theater stage sets and scenery.
8. Window awnings supported by an exterior wall of Group R-3.
9. Tents and membrane structures exempted in section 3103.1.3.
10. Above-ground storage tanks as defined in rule 4101:1-2-01 of the Administrative Code and the associated tank foundations.
11. Battery operated smoke or carbon monoxide alarms installed in existing buildings where no construction is taking place.
12. Crypts, mausoleums, and columbaria structures not exceeding 1500 square feet if the building or structure is not for occupancy and used solely for the interment of human or animal remains.
13. Signs painted directly on building surfaces.
14. Temporary yard signs.
15. Signs not more than 2.5 ft.² in area (0.23m²).
16. Signs required in accordance with the provisions of Chapter 11.
17. Signs undergoing minor repairs in accordance with section 102.10.2.
18. Temporary or time-limited occupancy of a building used or constructed to respond to conditions directly connected to an emergency declaration issued by the governor or federal government.

Electrical:

1. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Electrical equipment used for radio and television transmissions except equipment and wiring for power supply, and the installations of towers and antennas.
3. The installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than twenty-five volts and not capable of supplying more than fifty watts of energy, unless specifically addressed in this code.
5. Process equipment and the associated wiring on the load side of the power disconnect to the equipment.
6. Electrical wiring equipment not connected to building services equipment in and adjacent to natural or artificially made bodies of water as defined in Article 682 of NFPA 70 as referenced in Chapter 35.

Gas:

1. Portable heating appliances;
2. Replacement of any part that does not alter approval of equipment or make such equipment unsafe.
3. Gas distribution piping owned and maintained by public or municipal utilities and located upstream of the point of delivery.
4. Process equipment, including the associated tanks, foundations, and process piping. For combination building services/process or power piping systems, the power or process piping located downstream of the control valve which separates the process from the building services piping is exempt from approval.
5. When installed by the servicing gas supplier, replacement of existing LP-gas containers by servicing gas supplier of the same capacity in the same location and associated regulators.

Mechanical:

1. Portable heating appliances;
2. Portable ventilation equipment;
3. Portable cooling units;
4. Replacement of any part of an appliance which does not alter its approval or make it unsafe;
5. Portable evaporative cooler;
6. Process equipment including the associated tanks, foundations, and process piping. For combination building services/process or power piping

systems, the power or process piping located downstream of the control valve which separates the process from the building services piping is exempt from approval.

7. Heating and cooling distribution piping installed and maintained by public or municipal utilities.
8. Self-contained refrigeration system containing ten pounds (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (0.75 kW) or less.

Plumbing:

1. The repair of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drain-pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work is to be considered as new work and an approval is to be obtained and inspection made as provided in this code.
2. The clearance of stoppages or the repair of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve the replacement of more than one fixture or rearrangement of valves, pipes or fixtures.
3. Process equipment including the associated tanks, foundations, and process piping. For combination building services/process or power piping systems, the power or process piping located downstream of the control valve which separates the process from the building services piping is exempt from approval.

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

102.10.2 Minor repairs. Minor repairs to structures may be made without application or notice to the building official. Such repairs are not to 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 do minor 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.

102.11 Building department jurisdictional limitations. A municipal, township, or county building department that has been certified by the board of building standards, pursuant to rule 4101:7-2-01 of the Administrative Code, has jurisdiction

to enforce provisions of the rules of the board and of Chapters 3781. and 3791. of the Revised Code, relating to construction, arrangement, and the erection of buildings or parts thereof as defined in the rules of the board in accordance with the certification except as follows:

1. **Fire.** The state fire marshal or fire chief of municipal corporations or townships, having fire departments, enforce all provisions of the rules of the board relating to fire prevention.
2. **Health.** The department of health, or the boards of health of city or general health districts, the division of industrial compliance of the department of commerce, or the departments of building inspection of municipal corporations, townships, or counties enforce such provisions relating to sanitary construction.
3. **Sewerage and drainage system.** In accordance with Section 3781.03 of the Revised Code, the department of the city engineer, in cities having such departments, the boards of health of health districts, or the sewer purveyor, as appropriate, have complete supervision and regulation of the entire sewerage and drainage system of the jurisdiction, including the building sewer and all laterals draining into the street sewers. Such department or agency have control and supervision of the installation and construction of all drains and sewers that become a part of the sewerage system of the jurisdiction and issue all the necessary permits and licenses for the construction and installation of all building sewers and of all other lateral drains that empty into the main sewers. Such department or agency is to keep a permanent record of the installation and location of every drain and sewerage system of the city.
4. **Power generation.** Structures on the premises of and directly related to the operation of a generating plant defined as a major utility facility regulated by the power siting board, including the structures associated with generation, transmission, and distribution. As a condition of the power siting board's approval, the building department may be requested to review and inspect these structures for compliance with the rules of the board of building standards. However, the building department has no enforcement authority.
5. **Elevators.** The superintendent of the division of industrial compliance enforces provisions of rules 4101:5-1-01 to 4101:5-3-02 and rules 1301:3-6-01 to 1301:3-6-06 of the Administrative Code relating to the design, construction, repair, alteration, and maintenance of elevators and elevator controls as defined in rule 4101:5-1-02 of the Administrative Code.

Exception: Municipal corporations, such as the city of Cleveland and the city of Cincinnati, which are authorized to adopt regulations for the

regular inspection of elevators pursuant to section 4105.19 of the Revised Code.

All requirements within the standards referenced in "Table 4101:5-3-01" of rule 4101:5-3-01 of the Administrative Code that relate to the construction of the building and the building service equipment located within an elevator hoistway enclosure, hoistway, machine room, machine space, control room and control space such as, but not limited to, requirements for wall materials, wall fire resistance ratings, fire and/or smoke dampers, means of egress doors and hardware, ladders, air conditioning systems, ventilation systems, fire protection systems, lighting systems, electrical power supply to the elevator controls, lighting switches, electrical disconnects and selective coordination of overcurrent protective devices (OCPD), plumbing, sanitary piping, and sump pits are to be enforced by the building official having jurisdiction.

6. **State projects.** Certification does not confer any jurisdiction to a certified building department to regulate:

6.1 The construction of buildings by the state of Ohio or on land owned by the state of Ohio including, 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.

Exception: On other than land owned by the State of Ohio, local school district building projects funded by the Ohio school facilities commission in accordance with Chapter 3318. of the Revised Code when the local certified building department is authorized by the board to regulate construction of school facilities.

6.2 Park districts created pursuant to Chapter 1545. of the Revised Code. A certified municipal, township, or county building department may exercise enforcement authority, accept and approve plans and specifications, and make inspections for a park district created pursuant to Chapter 1545. of the Revised Code upon the approval, by resolution, of the board of park commissioners of the park district requesting the department to exercise that authority and conduct those activities.

6.3 The construction of buildings or structures within the scope of the building code on the premises of, and directly related to the operation of, natural gas liquids fractionation, natural gas cracking, or natural gas processing facilities.

Note: The lands owned by Miami university in the city of Oxford and Oxford township in Butler County and leased to private individuals or corporations under the land rent provisions of the Act of February 17, 1809, as set forth at 7

Ohio laws 184, are subject to local certified building department jurisdiction and are exempt from these provisions.

Section 103

Certified building departments, personnel, and appeals boards

Refer to division 4101:7 of the Administrative Code for building department, building department personnel, and boards of building appeals certification requirements.

Section 104

Duties and responsibilities of building department personnel

Refer to division 4101:7 of the Administrative Code for the duties and responsibilities of certified building departments, building department personnel, and boards of building appeals.

Section 105

Approvals

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

105.1.1 Annual approval for alterations. An annual approval may be issued for a period not to exceed 12 consecutive months in lieu of individual approvals for alterations that do not affect egress, upon application to any person, firm or corporation regularly employing individual(s) holding the related board certification(s) in the building, structure or on the premises owned or operated by the applicant for the approval. The approval is to include a description of the scope of work permitted and any limitations or conditions.

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

105.1.1.2 Expiration and revocation. Upon expiration, the owner may request renewal of the annual approval. Failure to maintain records in accordance with this section or exceeding the scope of the approval may result in revocation of the approval.

105.2 Previous approvals. No changes are required in the construction documents, construction or designated occupancy of a structure for which a lawful approval has previously been issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within one year of the approval of construction documents and approval has not expired in accordance with this section.

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

105.4 Phased approval. The building official may issue an approval for the construction of foundations or any other part of a building, structure, or building service equipment before the construction documents for the whole building, structure or building service equipment have been submitted, provided that adequate information and detailed statements have been filed complying with applicable requirements of this code. The holder of such approval for the foundation or other parts of a building or structure may proceed at the holder's own risk with the building operation and without assurance that an approval for the entire structure will be granted. Such approvals may be issued for various stages in the

sequence of construction provided that all information and data required by the code for that portion of the building or structure has been submitted. The holder of a phased plan approval may proceed only to the point for which approval has been given.

105.4.1 Incomplete fire protection system drawings. For fire protection system drawings, if actual fire protection system details or product listing information is not known at the time of plan examination, phased plan approval shall be granted subject to subsequent submission of the information prior to installation of any part of the fire protection systems.

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

105.6 Expiration. The approval of plans or drawings and specifications or data by the building official is invalid if construction, erection, alteration, or other work upon the building has not commenced within twelve months of the approval of the plans or drawings and specifications. One extension is to 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.

105.7 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 are to 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.

105.8 Certificate of plan approval. The building official issues to the owner/applicant a certificate of plan approval after plans have been approved in accordance with section 107.

105.8.1 Content. The certificate of plan approval is to list the serial number of the certificate, the address at which the building or equipment under consideration is or is to be located, the name and address of the owner, the signature of the building official who issued the certificate, the date of issuance and such other information as is necessary to facilitate and ensure the proper

enforcement of the rules of the board, including but not limited to whether alternative engineered design was part of the approved installation.

105.9 Applicable rules to be enforced. The department with jurisdiction exercises enforcement authority to accept and approve plans and specifications and make inspections using the rules of the board that were in effect on the date of the first application for plan approval for that project. Such approvals are subject to the limitations this section.

Section 106 **Construction documents**

106.1 Submittal documents. Construction documents, statement of special inspections and other data are to be submitted with each application for an approval. Before beginning the construction of any building for which construction documents are required under section 105, the owner or the owner's representative are to submit construction documents to the 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 107 by a certified building department, that determination of compliance is deemed sufficient to obtain approval for construction pursuant to section 105.2 and the building official shall issue the certificate of plan approval.

106.1.1 Information on construction documents. Construction documents are to be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents are to 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 documents, adequate for the scope of the project, are to include information necessary to determine compliance with the building, mechanical, plumbing, fire, electrical, energy, and fuel gas codes such as:

1. **Index.** An index of drawings located on the first sheet including all occupancy classification(s), type(s) of construction, the area in gross square feet for each level, the maximum design occupant load, the structural design loads, and the seismic design category and site class;
2. **Site plan.** A site plan showing a north orientation arrow, the size and location of new construction and all existing structures on the site, all property and interior lot line locations with setback and side yard dimensions and distances from buildings to lot lines, the locations of the nearest streets, the established street grades, the locations, types and

sizes of all utility lines, the location of any fences, and the elevations of all proposed finished grades; and be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan is to show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for approval is for alteration or repair or when otherwise warranted.

2.1 Buildings or structures located in flood hazard areas.

Construction documents submitted for buildings or structures located in communities with identified flood hazard areas, pursuant to section 1612, are to 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 is to include building elevations using the same datum as the related flood hazard map. The owner is responsible for the compliance with local flood damage prevention regulations for additional critical elevation information for the project site.

2.2 Site Accessibility Plan. Information in plan view and details indicating compliance with the accessibility provisions of this code for the exterior of the building in addition to accessible features of the interior. When applicable, the plans are to include: the exterior accessible route between all facilities required to be connected; ramp locations and elevations along the exterior accessible route; number of and details for the required accessible van and car parking spaces and passenger loading areas; location and detail of required accessibility signage; grade/topographic elevations before and after proposed grading when site impracticality is intended to be applied.

3. **Floor plans.** Building configuration layout drawings with all walls and partitions shown including: plans of full or partial basements and full or partial attics and penthouses, grade elevations at the building perimeter, and references to other details and elevations. Floor plans must show all relevant information such as door swings, stairs and ramps, windows, shafts, all portions of the means of egress, plumbing fixtures, built-in fixtures, special equipment, vertical transportation, etc., and be sufficiently dimensioned to describe all relevant space sizes. Spaces are to be identified by appropriate code appellations (an "auditorium" is not permitted to be identified as a "meeting room" if its attributes indicate that it is an auditorium). The number of occupants to be accommodated

on every floor, and in all rooms and spaces are to be designated on construction documents;

4. **Demolition.** In the case of demolition, identify construction to be demolished and the location, arrangement, and dimensions of existing construction that is to remain.
5. **Roof plan.** Roof outline, overall dimensions and dimensions of setbacks, slope of roof, drainage, reference to other details, roof materials, penetrations through roof, and roof-mounted equipment;
6. **Exterior elevations.** Vertical dimensions, floor-to-floor heights, opening heights, references to other details, floor lines, elevations of major elements, grade lines, foundation lines, material indications and notes, symbols for window schedule, gutters, signs and windows, doors, and all other openings.
7. **Building sections.** Vertical dimensions, elevations of the top of structural components and finish floor lines, materials, footings and foundations, reference to other details, ceiling lines, and major mechanical services.
8. **Exterior building envelope.** The exterior envelope described in sufficient detail to determine compliance with this code and the referenced standards. Details are to be provided which describe flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves, or parapets, means of drainage, water-resistive membrane details around openings, location and type of vapor retarders, window and door “U”-values, and insulation location and “R”-values. The supporting documentation is to fully describe the exterior wall system, which was tested, where applicable, as well as the test procedure used.
9. **Wall Sections.** Face of wall dimensions to other components, vertical dimensions from foundations to parapet relating all elements to top of structural elements, all connection methods, wall, ceiling, floor, foundation, and roof materials and construction details.
10. **Interior elevations.** Vertical dimensions to critical elements, references to other details, openings in walls, wall finishes, built-in items, and locations of switches, thermostats, and other wall-mounted equipment.
11. **Schedules.** Information or tables that describe the room finishes, doors, windows, and door hardware and controls. Wall and floor materials are to be described by cross-hatching (with explanatory key), by notation, or by other clearly understandable method.
12. **Structure.** Complete structural description of the building including size and location of all structural elements and a table of live, wind,

snow, and seismic loads used in the design of the building and other data as required to fully describe the structural system.

13. **Fire suppression system.** Areas of protection, fire suppression system occupancy hazard classification, and water supply data.
14. **Fire-resistance Ratings.** The fire-resistance ratings of all structural elements as required by this code, data substantiating all required fire-resistance ratings including details showing how penetrations will be made for electrical, mechanical, plumbing, and communication conduits, pipes, and systems, and the materials and methods for maintaining the required structural integrity, fire-resistance rating, and firestopping.
15. **System descriptions.** Complete description of the plumbing, mechanical, fuel gas and electrical systems, including: materials, insulation “R”-values, general routing and sizes of all piping; location and type of plumbing fixtures and equipment; plumbing schematics and isometrics; materials, insulation “R”-values, general routing and sizes of all ductwork, vents, and louvers; location and type of heating, ventilation, air conditioning, and other mechanical equipment; location and type of all fire alarm, lighting and power equipment; type and size of all electrical conductors.
16. **Operations.** Provide information regarding operations, the types, quantities, and arrangement of flammable, combustible, or hazardous materials proposed to be produced, used, dispensed, or stored in the facility; material safety data sheets for hazardous materials produced, used, or stored in the facility, the commodity and arrangement of high piled or rack storage, control areas, etc.
17. **Additional information.** Additional information required by the building official to determine compliance with this code.

106.1.1.1 Fire protection system drawings. Construction documents are to be approved prior to the start of system installation. Related product listing information is to be provided and drawings are to contain all information as required by the installation standards referenced in Chapter 9.

106.1.1.2 Special inspections. Identify those special inspections needed during construction for the types of work listed under section 1705.

106.1.2 Special provisions. The following are special provisions:

106.1.2.1 Industrialized units. When construction includes the use of industrialized units or alternative materials, designs and methods of

construction or equipment approved by the board, documentation shall be provided to the building official describing how they are to be used, including:

- 1.1 A copy of the construction documents approved by the board; and
- 1.2 Details pertaining to on-site interconnection of modules or assemblies.

106.1.2.2 Public swimming pools. Construction documents submitted that include construction of public swimming pools are to include documentation indicating approval of the pool construction documents by the Ohio department of health, comply with the requirements of section 3109, other applicable sections of this code and Ohio department of health rules pertaining to swimming pools and their service equipment (Chapter 3701-31 of the Administrative Code, pursuant to Chapter 3749. of the Revised Code). Plans are to accurately show dimensions and construction of the pool and appurtenances and properly established distances to lot lines, buildings, walks and fences, as well as details of the water supply system, drainage and water disposal systems, and all appurtenances pertaining to the swimming pool. Detailed plans of structures, vertical elevations and sections through the pool showing depth are to be included.

106.1.2.3 Licensed fireworks facilities. Construction documents submitted that include alterations or construction of, or additions to buildings where sales, display, storage or manufacture of consumer fireworks, 1.4g or display fireworks, 1.3g are to include documentation indicating that the applicant has received preliminary approval for construction issued by the state fire marshal pursuant to Chapter 3743. of the Revised Code.

106.1.2.4 Flood hazard elevation certification. The elevation certification provided by a registered surveyor and dry floodproofing certification, when required in section 1612.4 for buildings or structures located in communities with identified flood hazard areas, are to be submitted to the building official.

106.1.2.5 Jails, workhouses or municipal lockups. Construction documents submitted that include alterations or construction of, or additions to jails, workhouses, or municipal lockups are to include documentation indicating that the applicant has received preliminary approval for construction issued by the Ohio department of rehabilitation and corrections.

106.1.2.6 Storage or use of hazardous, flammable or combustible liquids or gases. When, as a part of work subject to this code, construction includes or relates to the storage or use of hazardous, flammable or combustible liquids or gases connected to and utilized for the operation of

building service equipment, such construction shall be in accordance with the provisions of this code. Notification of such storage or use shall be provided to the fire official for emergency planning purposes. When construction includes or relates to the storage or use of hazardous, flammable or combustible liquids or gases not associated with the operation of building service equipment, the owner shall notify the building official in accordance with Sections 106.1.1(item #16) and 414.1.3 to ensure that the building has been adequately protected to address the hazard. However, approval of the storage and use shall be obtained from the fire official in accordance with the fire code.

106.1.2.7 Adjacent property. Pursuant to section 3781.02 of the Revised Code, an unoccupied space on an adjoining property may be included in the required fire separation distance, provided that the adjoining property is dedicated or deeded so as to preclude, for the life of the structure, the erection of any building or structure on such space. See sections 506.3.1, 507 and 705.

106.2 Evidence of responsibility. Required construction documents, when submitted for review as required under section 107, are to bear the identification of the person primarily responsible for their preparation.

106.2.1 Seal requirements. Construction documents are to bear the seal of a registered design professional pursuant to section 3791.04 of the Revised Code.

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

1. Buildings or structures classified as one-, two-, or three-family dwellings and accessory structures;
2. Energy conservation design for buildings or structures classified as one-, two-, or three-family dwellings;
3. Fire protection system designs submitted under the signature of an individual certified in accordance with section 3781.105 of the Revised Code;
4. Installation of replacement devices, equipment or systems that are equivalent in type and design to the replaced devices, equipment or systems; and
5. Alterations, construction or repairs to any buildings or structures subject to sections 3781.06 to 3781.18 and 3791.04 of the Revised Code where the building official determines that the proposed work does not involve the technical design analysis of work affecting public health or general safety in the following areas: means of egress, structural, mechanical, electrical, plumbing, or fire protection.

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

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

106.4 Alternative materials and methods of construction and equipment. For approval of a device, material or assembly that does not conform to the performance requirements in this code, section 114 applies.

106.5 Alternative engineered design. The design, documentation, inspection, testing and approval of an alternative engineered system is to comply with sections 106.5.1 to 106.5.3 of this rule.

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

106.5.2 Submittal. The registered design professional is to indicate on the application that the system is an alternative engineered design.

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

106.5.4 Newer model codes and referenced standards. Future editions and amendments to model codes and referenced standards are not automatically included in this code, however, the building official should give them due consideration in deciding whether the newer codes or standards meet the intent of this code.

Section 107 **Plan approval process**

107.1 Plan review required. Where the rules of the board are applicable under section 101.2, before a building or addition to a building is constructed or erected, and before a building is altered or relocated, or building equipment is installed, or there is a change of occupancy, or a resubmission of construction documents is required or received, construction documents relating to the work and equipment under consideration are to be prepared in conformity with section 106 and be submitted to the building department for examination and approval.

107.2 Application for plan approval. To obtain a plan approval, the owner or the owner's representative is to first file an application for that purpose and include:

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. Indicate the use and occupancy(ies) for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in section 106.1.
5. Give such other data and information as required by the building official.
7. Identify and clearly indicate whether the project or portion of a project intends to utilize an industrialized unit.
8. Identify and clearly indicate whether the project or portion of a project intends to utilize an assembly of individually listed or labeled products.

107.2.1 Time limitation of application. The approval of plans under this section 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.

If construction documents have been reviewed for compliance with the rules of the board, an adjudication order has been issued to the owner and the owner's representative, and the owner has neither exercised the right to appeal pursuant to section 110 nor resubmitted corrected documents, the application is invalid six months from the date of the issuance of the adjudication order.

107.3 Order of plan review. Construction documents submitted for approval are to be examined for compliance with the rules of the board in the order received, unless otherwise consented to by the building owners affected by deferred examination or pursuant to a written policy adopted by the department providing for alternative schedules for plan review based on project size or other rational basis. Such policy is to be posted on the department's website and may not give preferential treatment to any one individual, organization or industry.

107.4 Review of plans. When construction documents have been submitted to the building department for review and approval, the building official will cause the construction documents to be examined for compliance with the rules of the board by assigning the examination duty to an appropriately certified master plans examiner or certified elective plans examiners. The plans examiner(s) first determines whether the construction documents being reviewed are adequate as required in section 106. If so, the plans examiner(s) then examine the construction documents to determine compliance with the rules of the board.

107.4.1 Inadequate construction documents. If construction documents are determined to be incomplete or inadequate for examination, the plans examiner will report the findings to the building official. The plans examiner is to examine the construction documents to the extent possible and identify what information from section 106 is missing and needed to complete the required examination. Upon receipt and review of the report, the building official proceeds as required in section 107.6.

107.4.2 Resubmitted documents. If construction documents are resubmitted in response to an adjudication order, the review for compliance is limited to determining that the item of non-compliance, and any work affected, has been corrected but does not permit another review of unmodified construction documents previously determined to comply.

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

107.4.4 Fire protection system construction documents. Construction documents for fire protection systems authorized to be submitted by individuals

certified pursuant to Chapter 4101:7-5 of the Administrative Code:

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.

107.4.5 Participation by fire official. When a certified building department receives an application for plan approval in a jurisdiction in which the local fire official has requested an opportunity to provide input to the certified building department on issues related to fire protection systems by submitting a completed “Request for Participation” form prescribed by the board and provided by the building official to the local fire official annually, the applicant is to provide a set of relevant construction documents for the local fire official. The building official will evaluate the local fire official’s comments related to fire protection system provisions of this code that are received within the timeframe established by the building official and section 3791.04 of the Revised Code prior to issuing the certificate of plan approval required in Section 105.5. In the absence of timely input from the fire official during the plan review process, the building official may proceed as outlined in Section 107.5.1

107.5 Plan review, compliance with rules of the board. If the construction documents are determined to comply with the rules of the board, the plans examiner communicates the findings and recommends the conditions and type of approval to the building official.

107.5.1 Building official approval. The building official evaluates the plans examiner’s recommendations and any communications received from the fire official as described in section 107.4.5. When the construction documents have been determined to conform to the applicable provisions of the rules of the

board, the building official shall endorse or stamp such plans as approved and issue the certificate of plan approval in accordance with section 105.5.

107.5.2 Posting. The certificate of plan approval is to be posted in a conspicuous location on the site. The owner and the contractor is to preserve and keep the certificate posted until the final inspections have been completed.

107.6 Plan review, items of noncompliance. When the construction documents are examined and items of noncompliance with the rules of the board are found by the plans examiner, the building official proceeds as required in either section 107.6.1 or section 107.6.2.

107.6.1 Communication process for items of non-compliance.

1. Item(s) of non-compliance are to be communicated to the owner or the owner's representative and offer the following options:
 - 1.1. The owner will revise the drawings and resubmit to the department.
 - 1.2 The items of noncompliance will not be brought into compliance and will be referred to the building official as indicated in item 4 below.
2. The owner or the owner's representative indicates which option (item 1 above) will be exercised.
3. Notations of the communication be made on a plan review record. The notations are to include the plans examiner's name, the date of the communication with the owner or the owner's representative, the observed items of noncompliance, the code citation related to the item(s) of noncompliance, the action necessary to correct the item(s) of noncompliance, the option chosen by the owner or the owner's representative, the name of the person communicated with, and the estimated dates of compliance and resubmission, if applicable.
4. If the owner or the owner's representative indicates that the work will not be brought into compliance with the rules of the board or requests an adjudication order, the plans examiner reports to the building official in accordance with section 107.6.2.

107.6.2 Building official determination of noncompliance. The building official evaluates the plans examiner's report and any reports received from the fire official as described in section 107.4.5 and render a final determination as to whether the items of non-compliance are to be communicated to the owner in the form of an adjudication order complying with section 109. The building official also determines whether any approvals are possible, and issue the appropriate approval as described in section 105.

107.7 Approved construction document sets. One set of approved construction documents is be kept by the building official. The other set(s) is returned to the applicant to be kept at the work site, along with manufacturers' installation instructions and product information, and be made available for use by the inspector.

Section 108 **Inspection process**

108.1 General. After construction documents have been approved, construction or work may proceed in accordance with the approved documents. Construction or work for which an approval is required is be subject to inspection. It is the duty of the owner or the owner's representative to notify the building department when work is ready for inspection. Access to and means for inspection of such work is to be provided for any inspections that are required by this code.

It is the duty of the owner or the owner's representative to cause the work to remain accessible and exposed for inspection purposes. Such construction or work is to remain accessible and exposed for inspection purposes until the work has been inspected to verify compliance with the approved construction documents, but failure of the inspectors to inspect the work within four days, exclusive of Saturdays, Sundays, and legal holidays, after the work is ready for inspection, allows the work to proceed.

Subsequent work is allowed to proceed only to the point of the next required inspection.

108.2 Required inspections. At the time that the certificate of plan approval is issued, the building official will also provide, to the owner or the owner's representative, a list of all required inspections for each project. The required inspection list is created from the applicable inspections set forth in sections 108.2.1 to 108.2.14. The building official, upon notification from the owner or the owner's representative that the work is ready for inspection, will cause the inspections set forth in the required inspection list to be made by an appropriately certified inspector in accordance with the approved construction documents.

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

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

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

108.2.4 Lowest floor elevation. The elevation certification required in section 1612.4 is to be submitted to the building official.

108.2.5 Frame inspection. Framing inspections are to 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.

108.2.6 Types IV-A, IV-B and IV-C connection protection. In buildings of Types IV-A, IV-B and IV-C construction, where connection fire-resistance ratings are provided by wood cover calculated to meet the requirements of section 2304.10.1, inspection of the wood cover is to be made after the cover is installed, but before any other coverings or finishes are installed.

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

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

108.2.8 Fire- and smoke-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions are not to be concealed from view until inspected and approved.

108.2.9 Energy efficiency inspections. Inspections are to determine compliance with Chapter 13 of the “OBC” and include, but not be limited to,

inspections for: envelope insulation “R” and “U” values, fenestration “U” value, duct system “R” value, infiltration air barriers, caulking/sealing of openings in envelope and ductwork, and “HVAC” and water heating equipment efficiency.

108.2.10 Building services equipment inspections. Inspections are to be made of all building services equipment to ensure that it has been installed in accordance with the approved construction documents, the equipment listings, and the manufacturer’s installation instructions. Inspections include, but not be limited to, inspections for the following systems and their associated components: mechanical heating and ventilating systems, mechanical exhaust systems, plumbing systems, fire protection systems, and electrical systems.

108.2.10.1 Inspections of elevators. Inspection of work related to elevators are to be coordinated with the division of industrial compliance in accordance Section 102.11 #5.

108.2.10.2 Inspections of boilers. Inspection of work related to boilers are to be coordinated with the division of industrial compliance when appropriate.

108.2.11 Other inspections. In addition to the inspections specified above, other inspections may be required by the building official of any construction work to ascertain compliance with the provisions of this code. Where applications are submitted for projects of unusual magnitude of construction, the building official may permit inspections or full-time project representation by a registered design professional or inspection agency. This inspector/project representative is to keep daily records and submit reports as required by the building official.

Exception: Where the building official permits full-time project inspection, the installation of a fire protection system may be inspected by a person holding an appropriate certification issued by the National Institute for Certification in Engineering Technologies in the subfield of fire protection systems being inspected – water-based fire protection systems (formerly automatic sprinkler systems), fire alarm, or special hazards systems.

108.2.12 Special inspections. For special inspections, see Chapter 17.

108.2.13 Inspections, completion. When all of the required successive inspections have been satisfactorily completed and the inspectors have verified compliance with the approved construction documents, the inspectors then

communicate their findings to the building official. The building official, after review of the findings, shall issue the certificate of occupancy or the certificate of completion as described in section 111.

108.2.13.1 Fire protection system final inspections. Fire protection system final inspections are to be coordinated with the fire official. It is the responsibility of the owner or the owner's representative to provide advance notice to the fire official of when the final inspections are scheduled.

108.2.14 Industrialized unit inspections. Inspection of on-site construction to complete installation of approved industrialized units is the responsibility of the building department with jurisdiction. Such inspections include:

1. Connection to on-site construction, interconnection of modules, connection to utilities. The inspections and conducting of required tests are not to 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 is to 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.

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

108.4 Right of entry. The building official, or the building official's designee, is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that credentials are presented to the occupant and that entry is requested and obtained. Where permission to enter has not been obtained, is denied, or the building official has probable cause to believe that there exists in a structure or upon a premises a condition which is a serious hazard the building official is to proceed as required in section 109 and also has recourse to the remedies provided by law to secure entry, including those adopted by the jurisdiction.

108.5 Inspections, compliance with construction documents. When an inspector from the department having jurisdiction finds that completed work is in accordance

with the approved construction documents, the inspector will communicate the findings to the owner or owner's representative, make a note of the inspection in the written or electronic inspection record of the project available on site and in the department's project record, and communicate the findings to the building official. The building official, after review of the findings, shall issue the certificate of occupancy or certificate of completion in accordance with section 111.

108.6 Inspections, observation of violations, unsafe conditions, or serious hazards. When an inspector from the department having jurisdiction finds that any work in connection with the location, erection, construction, repair, alteration, moving, or equipment of a building is contrary to the approved construction documents for the same, the building inspector proceeds as required in either section 108.6.1 or 108.7.

108.6.1 Communication process for work contrary to approved construction documents.

1. Communicate the nature of the differences to the owner or the owner's on-site representative and offer the following options
 - 1.1 The owner will bring the item of noncompliance into compliance,
 - 1.2 The owner will revise the drawings and resubmit to the department,
 - 1.3 The items of noncompliance will not be brought into compliance and will be referred to the building official as indicated in item 4 below.
2. The owner or the owner's on-site representative indicates which option (item 1 above) will be exercised
3. Notations of the inspection in the written or electronic inspection record of the project available on site and in the department's project record are to be made. The notations is to include the inspector's name, the date of the inspection, the type of inspection, the observed items of noncompliance, the option chosen by the owner or the owner's on-site representative, the name of the person communicated with, and the estimated dates of compliance and follow-up inspections, if applicable.
4. If the owner or the owner's on-site representative indicates that the work will not be brought into compliance with the approved construction documents, the inspector is to submit a report to the building official for the final determination of noncompliance in accordance with section 108.7.

108.6.2 Observation of violations not shown on plans. If an inspector, in the course of performing the assigned or requested inspections, observes a code violation that was either shown incorrectly or not adequately addressed

or detailed in the approved construction documents, the inspector is to communicate the finding to the building official so that the building official can make a determination of whether to issue a notice of recommended change.

108.6.3 Observation of unsafe conditions or serious hazards. If an inspector, in the course of performing the assigned or requested inspections, observes an unsafe condition or a serious hazard, the inspector shall communicate that condition to the owner or the owner's on-site representative and report the findings immediately to the building official so that the building official can make a final determination of whether the violation constitutes a serious hazard which requires the issuance of an adjudication order as required in section 109.

108.6.4 Industrialized units, observations of noncompliance. If a unit of closed construction does not bear an insignia issued by the board, the unit has not been approved by the board therefore is within the jurisdiction of the building department. Units not approved by the board and placed on-site are work without approval and the building official is to proceed in accordance with section 109 of this code.

The building official is to notify the board of any variance of floor plan, exterior elevations, and exposed details with the plans approved by the board or placement of a unit without an insignia.

108.7 Building official determination of noncompliance. The building official shall evaluate the inspector's report and render a final determination as to whether the items of non-compliance are to be communicated to the owner in the form of an adjudication order complying with section 109 or whether any additional approvals are necessary. The building official shall make the determination within four days of the inspector reporting as required in sections 108.6.2 and 108.6.3, exclusive of Saturdays, Sundays, and legal holidays.

108.8 Acceptance, performance, and operational testing. Acceptance, performance, and operational testing is to be conducted by the owner or the owner's representative as required in the applicable code or referenced standard. Advanced notice of the test schedule is to be given to the building official. The building official may require that the tests be conducted in the presence of the building official or certified inspector. Testing and inspection records are to be made available to the building official or inspector, upon request, at all times during the fabrication of the systems and the erection of the building.

108.8.1 Fire protection system acceptance testing. Fire protection system acceptance tests are to be coordinated with the fire official. It is the responsibility of the owner or the owner's representative to provide advance notice of when the tests are scheduled to both the building official and the fire official.

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

108.8.3 Apparatus, material and labor for tests. Apparatus, material and labor required for testing a system or part thereof are to be furnished by the owner or the owner's representative. Required tests are to be conducted by and at the expense of the owner or the owner's representative.

108.8.4 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the inspector is to proceed as outlined in section 108.6.

108.9 Posting of occupant and structural loads. Postings required by Section 1004 and 1602 are to be verified.

Section 109 **Orders, Violations, and Unsafe Buildings**

109.1 Adjudication orders required. When the building official denies any approval or takes action in response to findings of non-compliance with the rules of the board, such action is to be initiated by issuing an adjudication order pursuant to section 3781.031 of the Revised Code, prior to seeking any remedy, civil or criminal. Every adjudication order shall:

1. Identify the rules of the board violated;
2. Specifically indicate which detail, installation, site preparation, material, appliance, device, addition, alteration to structures, construction documents, assemblages or procedures are necessary to change to comply with the order;
 - 2.1 When issued to stop work, the order shall also clearly indicate the specific work that is required to cease, when the work must cease and the conditions under which the cited work will be permitted to resume.
3. Include notice of the procedure for appeal and right to a hearing if requested within thirty days of the mailing of the order. The order shall also indicate that, at the hearing, the owner may be represented by counsel, present

- arguments or contentions orally or in writing, and present evidence and examine witnesses appearing for or against the owner;
4. Specify a reasonable period of time in which to bring the item(s) on the order into compliance;
 5. Include the signature of the building official; and
 6. The order shall be sent to the owner and owner's representatives.
 - 6.1 When issued to stop work, the order shall also be given to the person doing the work.

109.2 Response to orders. The person receiving an order may exercise their right to appeal within 30 days of the mailing of the order, comply with the order, or otherwise be released from the order by the building official.

109.3 Prosecution and penalties. When an owner fails to comply with section 109.2, the owner may be prosecuted pursuant to this code or other law or ordinance adopted by the jurisdiction, and subject to fine as provided for in section 3791.04 of the Revised Code.

109.3.1 Unlawful continuance. Failure to cease work after receipt of an order to stop work is hereby declared a public nuisance.

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

109.4.1 Orders, injunction proceedings. Where the building official finds that a building is a serious hazard and the owner of such building fails, in the time specified in an order from the building official, to eliminate such hazard, or to vacate the building, the building official shall proceed under section 3781.15 of the Revised Code or other law or ordinance adopted by the jurisdiction.

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

Section 110 Appeals

110.1 Powers, local boards of building appeals. Certified municipal and county boards of building appeals hear and decide the adjudication hearings referred to in section 109.1 within the jurisdiction of and arising from orders of the local building official in the enforcement of Chapters 3781. and 3791. of the Revised Code and rules adopted thereunder. The orders may be reversed or modified by the board if it finds:

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

110.2 Hearing and right of appeal, local board of building appeals. Adjudication hearings are to be conducted in accordance with sections 119.09 to 119.13, 3781.031 and 3781.19 of the Revised Code, and the following:

1. Requests for hearing shall be within thirty days of the mailing date of an adjudication order. The local board will schedule a hearing and notify the party. If the hearing concerns section 3781.111 of the Revised Code or rules adopted thereunder, reasonable notice of time, date, place, and subject of the hearing is to be given to any local organization composed of or representing persons with disabilities, as defined in section 3781.111 of the Revised Code, or if there is no local organization, then to any statewide organization composed of or representing persons with disabilities.
2. The Board shall render its decision within thirty days after the hearing.
3. Following the hearing, an order shall be entered on its journal, and the local board shall serve by certified mail, return receipt requested, upon the party affected thereby, a certified copy of the order and a statement of the time and method by which an appeal may be perfected. A copy of the order shall be mailed to the attorney or other representatives of record representing the party.
4. Any municipal or county officer, official municipal or county board, or person who was a party to the hearing before the municipal or county board of building appeals, may apply to the state board of building appeals for a de novo hearing, or may appeal to the court of common pleas of the county in which he is a resident or in which the premises affected by such order is located.
5. In addition, when the adjudication hearing concerns section 3781.111 of the Revised Code, or any rule made thereunder, any local organization

- composed of or representing persons with disabilities, or if no local organization exists, then any statewide organization representing persons with disabilities may file appeals as indicated in paragraph 4. of this section.
6. Application for a de novo hearing before the state board shall be made no later than thirty days after the municipal or county board renders its decision.

110.3 Materials. A certified board of building appeals may not prohibit the use of materials or assemblages authorized for statewide use by the board of building standards pursuant to section 3781.12 of the Revised Code.

110.4 State board of building appeals. The Ohio board of building appeals conducts the adjudication hearings in political subdivisions without certified boards or without contracts with certified boards.

Section 111

Certificate of occupancy and certificate of completion

111.1 Approval required to occupy. No building or structure, in whole or in part, may be used or occupied until the building official has issued an approval in the form of a certificate of occupancy or certificate of completion in compliance with this section.

111.1.1 Certificate of occupancy and certificate of completion. The certificate of occupancy indicates the conditions under which the building shall be used. The owner may only use the building in compliance with the certificate of occupancy and any stated conditions. The building and all approved building service equipment are to be maintained in accordance with the approval. Where appropriate, the building official may issue certificate of completion for alterations and repairs in lieu of a certificate of occupancy.

When a building or structure is entitled thereto, the building official shall issue a certificate of occupancy or completion provided there are no violations of the rules of the board or orders of the building official pending or as permitted in this section. A copy of the certificate of occupancy or completion is to be forwarded to the local fire official.

111.1.1.1 New buildings and additions. A building or structure erected, enlarged or extended is not permitted to be used or occupied, in whole or in part, until the certificate of occupancy has been issued by the building official. Occupancy of spaces within a building which are unaffected by the work may be permitted to continue if the building official determines the

existing spaces can be occupied safely.

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

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

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

1. There are no violations of law or orders of the building official pending;
2. It is established after inspection and investigation that the proposed use is not deemed to endanger public safety and welfare;
3. The building official has approved the use for an alternative purpose on a temporary basis;
4. The building official has issued a certificate of occupancy indicating any special conditions under which the building or part of the building can be used for the alternative purpose within the time limit specified.

111.1.1.5 Temporary structures occupancy. A building intended to be erected, placed and used for a period of time not to exceed one hundred eighty days that has been determined by the building official to be in compliance with section 102.8 may be issued a "Certificate of Occupancy for Temporary Structures." The building official may grant extensions for demonstrated cause.

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

1. The plan approval application number.
2. The address.
3. A description of that portion of the structure for which the certificate is issued.
4. The signature of all building officials having jurisdiction. When more than one building official has jurisdiction for a building (when the certification of the building department is limited for such systems as plumbing or piping systems) each signs the certificate with an indication of the scope of their individual approvals.
5. The edition of the code under which the plan approval was issued.
6. The use and occupancy, in accordance with the provisions of Chapter 3.
7. The type of construction as defined in Chapter 6.
8. The design occupant load.
9. If an automatic sprinkler systems is provided, whether the sprinkler system is required.
10. The hazard classification or storage configuration, including aisle widths, for which the automatic sprinkler system is designed.
11. The automatic sprinkler and standpipe system demand at the base of the riser.
12. Any special stipulations and conditions of the plan approval including, but not limited to, alternative engineered design submitted pursuant to section 106.5 and any variances granted to the requirements of this code.

In addition to the above, the certificate of occupancy or certificate of completion may also include whether any alternative products or materials are included pursuant to 106.4 in the approval.

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

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

and it is established after inspection and investigation that the alleged occupancy of the building or structure has previously existed. This code does 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.

Section 112 **Changes to the code**

The board may, on its own motion or upon receipt of a petition, adopt, amend, or rescind the rules adopted pursuant to chapters 3781 and 3791 of the Revised Code through the administrative rule process. Any person may petition the board to adopt, amend, or rescind rules of the board on an application prescribed by the board. Upon receipt of petition for the adoption, amendment, or annulment of a provision of the rules of the board, the board will proceed under sections 3781.101 and 3781.12 of the Revised Code.

Section 113 **Industrialized units**

Industrialized units. Refer to division 4101:10 of the Administrative Code for requirements for industrialized units.

Section 114 **Products and materials**

114.1 General. Any material, product, assembly or method of construction used in a building or structure is to be approved by the building official. The provisions of this section describe the product approval process intended by the board in accordance with section 3781.10 (C) of the Revised Code.

114.2 Definitions. The following words and terms, for the purposes of this section, have the meanings shown herein:

Accreditation. The formal recognition of a conformity assessment body's adherence and operation under a documented quality system whereby a third party (Accreditation Body) attests to technical competence and the specific scope of accreditation of the conformity assessment body.

Accreditation body. An authoritative body that is an established, independent, internationally recognized, third-party organization that performs accreditation to ascribe initial recognition and monitors, on a cyclical basis, the competency,

integrity, and performance of conformity assessment bodies in accordance with established standards.

Assembly. A preassembled grouping of materials, products and/or components designed to act as a whole. This does not include industrialized units regulated by division 4101:10 of the Administrative Code.

Calibration laboratory. An established, independent, nationally recognized and accredited, third-party organization that regularly provides calibration services such as, but not limited to, tolerance testing to ensure the accuracy of measuring equipment used in construction.

Conformity assessment body. A body that performs conformity assessment services and can be an object of accreditation, such as a testing laboratory, inspection body, product certification body.

Evaluation service. An established, independent, nationally recognized and accredited, third-party conformity assessment body that is accredited as a product certification body and performs technical evaluations of building materials, products, and methods of construction where code requirements are not clear or the innovative products do not have national consensus standards. The evaluation of the product results in the issuance of a research report establishing the code compliance and conditions of its use based upon multiple sources of information including test reports, test data, performance data, or acceptance criteria, and can be approved for installation by the building official in accordance with the rules of the board.

Fabricator inspection agency. An established, independent, nationally recognized and accredited, third-party conformity assessment body regularly engaged in fabrication of construction materials and methods of construction.

Field evaluation body. An established, independent, nationally recognized and accredited, third-party conformity assessment body regularly engaged in furnishing field inspection, observation, testing, or reporting services for construction materials, products, and methods of construction.

Industry trade association certification program. A certification program operated by an established and nationally recognized organization, founded and funded by businesses that operate in a specific industry, where the main focus is to monitor quality assurance among associated members.

Insignia. A mark or label prescribed in accordance with board procedures.

Inspection body. An established, independent, nationally recognized and accredited, third-party conformity assessment body regularly engaged in furnishing inspection, observation, testing, or reporting services for construction materials, products, and methods of construction. Such services include, but are not limited to geotechnical inspections, environmental inspections, mechanical and metallurgical analysis, non-destructive testing and evaluation, chemical analysis, and structural and product testing.

Listing agency. An established, independent, nationally recognized and accredited, third-party conformity assessment body that is accredited as a product certification body and conducts tests on materials, products, or methods of construction to certify products that meet the criteria for compliance with nationally recognized codes and standards. The product certification body allows its insignia of conformity to be placed on a material or product by the manufacturer, identifying that the material or product has been certified by the product certification body. The product certification body maintains a list or directory of all of the materials and products that they have certified and the conditions of their use.

Material. A manufactured form or substance designed to act as a whole.

Method of construction. A procedure or system intended to result in a finished building, structure or portion thereof.

Product. A material or device designed and manufactured to perform a predetermined function. Appliances, assemblies and equipment are also considered products.

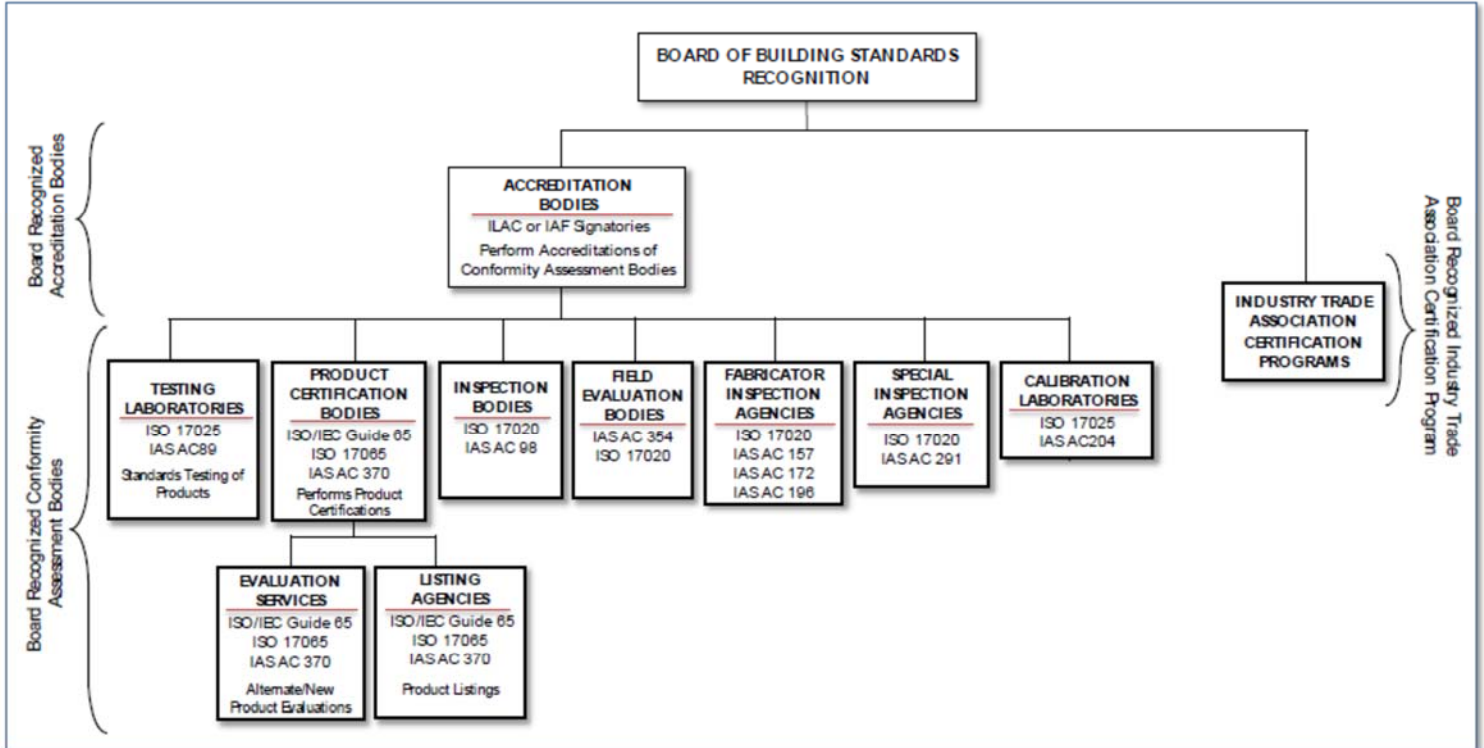
Product certification body. An established, independent, nationally recognized and accredited, third-party conformity assessment body regularly engaged in conducting evaluation services, inspections and tests on materials and products to certify compliance with nationally recognized codes and standards. Product Certification Bodies are sub-classified as either Evaluation Services or Listing Agencies.

Recognition. An acceptance by the board of building standards of an accreditation body, a conformity assessment body, or an industry trade association certification program in accordance with the rules of the board of building standards.

Special inspection agency. An established, independent, nationally recognized and accredited, third-party conformity assessment body regularly engaged in performing special inspections as required by Chapter 17.

Testing laboratory. An established, independent, nationally recognized and accredited, third-party conformity assessment body regularly engaged in conducting tests of materials, products, or methods of construction to determine compliance with a specification or testing standard. The testing laboratory issues a report documenting the test results.

**Figure 114.2
ORGANIZATION OF BOARD RECOGNIZED BODIES AND
CERTIFICATION PROGRAMS**



- ILAC – International Laboratory Accreditation Cooperation
- IAF – International Accreditation Forum
- ISO – International Organization for Standardization
- IAS – International Accreditation Service
- IEC – International Electrotechnical Commission

114.3 Building official approval process. The building official shall approve the use of products in accordance with Sections 114.3.1 through 114.3.3.

114.3.1 Materials, products, assemblies and methods of construction prescribed in the code.

114.3.1.1 Testing laboratories. When test reports are required to be submitted or when the rules of the Board specify that materials, products, assemblies and methods of construction are to conform to specific referenced standards, the building official is to verify that the proposed material, product, assembly, and method of construction have been tested by a testing laboratory recognized by the board and published on the list titled “Recognized Conformity Assessment Bodies” found on the board’s website at <https://com.ohio.gov/divisions-and-programs/industrial-compliance/boards/board-of-building-standards>

The building official is to verify that the testing laboratory is accredited to perform the specific tests prescribed in the code by verifying the testing laboratory’s “scope of accreditation” found on the testing laboratory’s website.

Exceptions:

1. Acceptance, performance, and operational testing reports submitted in accordance with Section 108.8 are permitted to be prepared and submitted by the individual performing the acceptance, performance, and operational tests. Board recognition is not required for persons conducting acceptance, performance, or operational tests.
2. Special inspection reports submitted in accordance with Section 1704.1.2 are permitted to be prepared and submitted by the special inspector defined in Section 1702.1 and qualified in accordance with Section 1704.1. Board recognition is not required for all special inspectors.

114.3.1.2 Listing agencies. When the rules of the Board specify that materials, products, assemblies and methods of construction are to be marked or listed and labeled in accordance with a specific referenced standard, the building official is to verify that the proposed material, product, assembly, and method of construction has been listed and labeled by a listing agency recognized by the board and published on the list titled “Recognized Conformity Assessment Bodies” found on the board’s website at <https://com.ohio.gov/divisions-and-programs/industrial-compliance/boards/board-of-building-standards>

Building officials are authorized to approve listed and labeled materials, products, assemblies and methods of construction after verifying all of the following additional information:

1. The product is listed on the product certification body's website directory.
2. The listing is current.
3. The product is proposed to be installed/used in accordance with the listing.
4. When used as an assembly, the assembly is proposed to be installed/used in compliance with this code.
5. The extent of the listing does not include in its scope, elements of design, construction or installation otherwise in conflict with the provisions of this code such as fire-resistance and structural design.

114.3.2 Alternative materials, products, assemblies and methods of construction not prescribed in the code. The provisions of this code are not intended to prevent the installation of any material or to restrict any material, product, assembly or method of construction not specifically prescribed by this code, provided that any such alternative has a valid evaluation service report, as described in section 114.3.2.1, or listing from a product certification body recognized by the board and published on a list titled "Recognized Conformity Assessment Bodies" found on the board's website at <https://com.ohio.gov/divisions-and-programs/industrial-compliance/boards/board-of-building-standards>

The alternative material, product, assembly, or method of construction is deemed to be approved provided it complies with the conditions listed in the evaluation service report or listing found on the product certification body's website.

114.3.2.1 Evaluation Service Reports. Building officials are authorized to accept evaluation service reports for materials, products, assemblies, and methods of construction from recognized evaluation service agencies after reviewing and verifying all of the following minimum information in the evaluation service report:

1. Identification and description of the product specifically addressed in the report and a description of how the product can be identified;
2. Identification of the specific code provisions to which the product was evaluated as a suitable alternative to the requirements of the code;
3. The product installation requirements;
4. The statement of the conditions and limitations of use of the product;
and
5. List the test reports used in the evaluation.

114.3.3 Used materials and products. The use of used materials and products which meet the requirements of this code for new materials and products is permitted. Used products and materials are not to be reused unless approved by the building official.

114.4 Process for board-recognition of “Accreditation Bodies,” “Conformity Assessment Bodies,” and “Industry Trade Association Certification Programs.” All accreditation bodies, conformity assessment bodies, and industry trade association certification programs are to be recognized by the board in accordance with division 4101:7 of the Administrative Code.

Replaces: 4101:1-1-01, 4101:1-5-01, 4101:1-7-01, 4101:1-9-01,
4101:1-30-01, 4101:1-31-01

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