



## Ohio Revised Code

### Section 3743.29 Fountain device retailer inspections and discipline.

Effective: February 7, 2022

Legislation: House Bill 172 - 134th General Assembly

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(A) The state fire marshal may inspect the premises, the inventory, and retail sale records, of a licensed fountain device retailer during the retailer's period of licensure to determine whether the retailer is in compliance with Chapter 3743. of the Revised Code and the rules adopted by the state fire marshal pursuant to section 3743.28 of the Revised Code.

(B) If the state fire marshal determines during an inspection conducted pursuant to division (A) of this section that a licensed fountain device retailer is not in compliance with Chapter 3743. of the Revised Code or the rules adopted by the state fire marshal pursuant to section 3743.28 of the Revised Code, the state fire marshal may take one or more of the following actions, whichever the state fire marshal considers appropriate under the circumstances:

(1) Order, in writing, the retailer to eliminate, correct, or otherwise remedy the nonconformities within a specified period of time;

(2) Order, in writing, the retailer to immediately cease the storage and related sale of fountains.

(3) Revoke, or deny renewal of, the license of the retailers in accordance with Chapter 119. of the Revised Code.

(C) This section does not affect the authority conferred by Chapters 3781. and 3791. of the Revised Code to conduct inspections to determine conformity with those chapters or the rules adopted pursuant to them.

The state fire marshal shall remove from the list of licensed retailers the name of a retailer whose license has been revoked, and shall notify the law enforcement authorities for the political subdivision in which the retailer's premises are located, of the revocation or denial of renewal.



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