

**As Reported by the Senate State and Local Government and
Veterans Affairs Committee**

**127th General Assembly
Regular Session
2007-2008**

Am. S. B. No. 192

Senators Gardner, Carey, Niehaus

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A B I L L

To amend sections 3703.01, 3703.08, and 3781.03 of
the Revised Code to permit the board of health of
a health district to enter into a contract with a
board of county commissioners to authorize the
county building department to inspect plumbing in
any type of building for which the county
department is certified and to permit the board of
health of a health district to enter into a
contract with the board of health of another
health district for the inspection of plumbing
within the first board's district.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3703.01, 3703.08, and 3781.03 of the
Revised Code be amended to read as follows:

Sec. 3703.01. (A) ~~The~~ Except as otherwise provided in this
section, the division of industrial compliance in the department
of commerce shall do all of the following:

(1) Inspect all nonresidential buildings within the meaning
of section 3781.06 of the Revised Code;

(2) Condemn all unsanitary or defective plumbing that is

found in connection with those places; 20

(3) Order changes in plumbing necessary to insure the safety 21
of the public health. 22

(B)(1)(a) The division of industrial compliance ~~and~~, boards 23
of health of city and general health districts, and county 24
building departments shall not inspect plumbing or collect fees 25
for inspecting plumbing in particular types of buildings in any 26
municipal corporation that ~~has been~~ is certified by the board of 27
building standards under section 3781.10 of the Revised Code to 28
exercise enforcement authority for plumbing in ~~such~~ those types of 29
buildings. 30

~~(2)(b)~~ The division shall not inspect plumbing or collect 31
fees for inspecting plumbing in particular types of buildings in 32
any health district that ~~has employed~~ employs one or more ~~approved~~ 33
plumbing inspectors certified pursuant to division (D) of this 34
section to enforce Chapters 3781. and 3791. of the Revised Code 35
and the rules adopted pursuant to those chapters relating to 36
plumbing in ~~such~~ those types of buildings. 37

~~(3) A~~ (c) The division shall not inspect plumbing or collect 38
fees for inspecting plumbing in particular types of buildings in 39
any health district where the county building department is 40
authorized to inspect those types of buildings pursuant to a 41
contract described in division (C)(1) of this section. 42

(d) The division shall not inspect plumbing or collect fees 43
for inspecting plumbing in particular types of buildings in any 44
health district where the board of health has entered into a 45
contract with the board of health of another district to conduct 46
inspections pursuant to division (C)(2) of this section. 47

(2) No county building department shall inspect plumbing or 48
collect fees for inspecting plumbing in any type of building in a 49
health district unless the department is authorized to inspect 50

that type of building pursuant to a contract described in division 51
(C)(1) of this section. 52

(3) No municipal corporation ~~does not have jurisdiction to~~ 53
shall inspect plumbing or collect fees for ~~the inspection of~~ 54
inspecting plumbing in types of buildings for which it ~~has~~ is not 55
been certified by the board of building standards under section 56
3781.10 of the Revised Code to exercise enforcement authority. 57

(4) A No board of health of a health district ~~does not have~~ 58
jurisdiction to shall inspect plumbing or collect fees for the 59
inspection of inspecting plumbing in types of buildings for which 60
it does not have an ~~approved~~ a plumbing inspector certified 61
pursuant to division (D) of this section. 62

(C)(1) The board of health of a health district may enter 63
into a contract with a board of county commissioners to authorize 64
the county building department to inspect plumbing in buildings 65
within the health district. The contract may designate that the 66
department inspect either residential or nonresidential buildings, 67
as those terms are defined in section 3781.06 of the Revised Code, 68
or both types of buildings, so long as the department employs a 69
plumbing inspector certified pursuant to division (D) of this 70
section to inspect the types of buildings the contract designates. 71
The board of health may enter into a contract regardless of 72
whether the health district employs any certified plumbing 73
inspectors to enforce Chapters 3781. and 3791. of the Revised 74
Code. 75

(2) The board of health of a health district, regardless of 76
whether it employs any certified plumbing inspectors to enforce 77
Chapters 3781. and 3791. of the Revised Code, may enter into a 78
contract with the board of health of another health district to 79
authorize that board to inspect plumbing in buildings within the 80
contracting board's district. The contract may designate the 81
inspection of either residential or nonresidential buildings as 82

defined in section 3781.06 of the Revised Code, or both types of 83
buildings, so long as the board that performs the inspections 84
employs a plumbing inspector certified pursuant to division (D) of 85
this section to inspect the types of buildings the contract 86
designates. 87

(D) The superintendent of industrial compliance shall adopt 88
rules prescribing minimum qualifications based on education, 89
training, experience, or demonstrated ability, ~~which~~ that the 90
superintendent shall use in certifying or recertifying plumbing 91
inspectors to do plumbing inspections for health districts and 92
county building departments that are authorized to perform 93
inspections pursuant to a contract under division (C)(1) of this 94
section, and for continuing education of plumbing inspectors. ~~Such~~ 95
~~Those~~ minimum qualifications shall be related to the types of 96
buildings for which a person seeks ~~approval~~ certification. 97

~~(D)~~(E) The superintendent may enter into reciprocal 98
registration, licensure, or certification agreements with other 99
states and other agencies of this state relative to plumbing 100
inspectors if both of the following apply: 101

(1) The requirements for registration, licensure, or 102
certification of plumbing inspectors under the laws of the other 103
state or laws administered by the other agency are substantially 104
equal to the requirements the superintendent adopts under division 105
~~(C)~~(D) of this section for certifying plumbing inspectors. 106

(2) The other state or agency extends similar reciprocity to 107
persons certified under this chapter. 108

~~(E)~~(F) The superintendent may select and contract with one or 109
more persons to do all of the following regarding examinations for 110
certification of plumbing inspectors: 111

(1) Prepare, administer, score, and maintain the 112
confidentiality of the examination; 113

(2) Maintain responsibility for all expenses required to 114
comply with division ~~(E)~~(F)(1) of this section; 115

(3) Charge each applicant a fee for administering the 116
examination in an amount the superintendent authorizes; 117

(4) Design the examination for certification of plumbing 118
inspectors to determine an applicant's competence to inspect 119
plumbing. 120

~~(F)~~(G) Standards and methods prescribed in local plumbing 121
regulations shall not be less than those prescribed in Chapters 122
3781. and 3791. of the Revised Code and the rules adopted pursuant 123
to those chapters. 124

~~(G)~~(H) Notwithstanding any other provision of this section, 125
the division shall make a plumbing inspection of any building or 126
other place that there is reason to believe is in a condition to 127
be a menace to the public health. 128

Sec. 3703.08. Any owner, agent, or manager~~7~~ of a building in 129
which an inspection is made by the division of industrial 130
compliance, a board of health of a health district, or a certified 131
department of building inspection of a municipal corporation or a 132
county shall have the entire system of drainage and ventilation 133
repaired, as the division, board of health, or department of 134
building inspection directs by its order. After due notice to 135
repair ~~such~~ that work is given, the owner, agent, or manager shall 136
notify the public authority that issued the order when the work is 137
ready for its inspection. No person shall fail to have the work 138
ready for inspection at the time specified in the notice. 139

Sec. 3781.03. (A) The fire marshal ~~or~~the fire chief of a 140
municipal corporation that has a fire department~~,~~ or the fire 141
chief of a township that has a fire department shall enforce the 142
provisions of ~~Chapters 3781.~~ this chapter and Chapter 3791. of the 143

Revised Code that relate to fire prevention. 144

(B) The superintendent of the division of industrial 145
compliance, or the building inspector, or commissioner of 146
buildings in a municipal corporation, county, or township in which 147
the building department is certified by the board of building 148
standards under section 3781.10 of the Revised Code shall enforce 149
in the jurisdiction of each entity all the provisions in ~~those~~ 150
~~chapters~~ this chapter and Chapter 3791. of the Revised Code and 151
any rules adopted pursuant to those chapters that relate to the 152
construction, arrangement, and erection of all buildings or parts 153
of buildings, as defined in section 3781.06 of the Revised Code, 154
including the sanitary condition of those buildings in relation to 155
heating and ventilation. 156

(C) The division of industrial compliance in the department 157
of commerce, ~~the~~ boards of health of health districts, ~~and the~~ 158
certified departments of building inspection of municipal 159
corporations, and county building departments that have authority 160
to perform inspections pursuant to a contract under division 161
(C)(1) of section 3703.01 of the Revised Code, subject to Chapter 162
3703. of the Revised Code, shall enforce ~~Chapters 3781.~~ this 163
chapter and Chapter 3791. of the Revised Code and the rules 164
adopted pursuant to those chapters that relate to plumbing. 165
Building drains are considered plumbing for the purposes of 166
enforcement of those chapters. 167

(D)(1) In accordance with Chapter 3703. of the Revised Code, 168
the department of the city engineer, in cities having such 169
departments, the boards of health of health districts, or the 170
sewer purveyor, as appropriate, shall have complete authority to 171
supervise and regulate the entire sewerage and drainage system in 172
the jurisdiction in which it is exercising the authority described 173
in this division, including the building sewer and all laterals 174
draining into the street sewers. 175

(2) In accordance with Chapter 3703. of the Revised Code, the 176
department of the city engineer, the boards of health of health 177
districts, or the sewer purveyor, as appropriate, shall control 178
and supervise the installation and construction of all drains and 179
sewers that become a part of the sewerage system and shall issue 180
all the necessary permits and licenses for the construction and 181
installation of all building sewers and of all other lateral 182
drains that empty into the main sewers. The department of the city 183
engineer, the boards of health of health districts, and the sewer 184
purveyor, as appropriate, shall keep a permanent record of the 185
installation and location of every drain and sewer of the drainage 186
and sewerage system of the jurisdiction in which it has exercised 187
the authority described in this division. 188

(E) This section does not exempt any officer or department 189
from the obligation to enforce ~~Chapters 3781.~~ this chapter and 190
Chapter 3791. of the Revised Code. 191

Section 2. That existing sections 3703.01, 3703.08, and 192
3781.03 of the Revised Code are hereby repealed. 193