



# Ohio Legislative Service Commission

## Bill Analysis

Nick Thomas

### **S.B. 359**

130th General Assembly  
(As Introduced)

**Sens.** Beagle and Lehner, Turner, Brown, Schiavoni

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## **BILL SUMMARY**

- Requires residential rental properties to contain an exterior means of egress from any living space that is above the second floor.

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## **CONTENT AND OPERATION**

### **General requirement**

The bill requires, beginning 180 days after the bill's effective date, every existing residential rental property to have an exterior means of egress from any living space that is above the second floor. This method of egress must be a ladder or staircase that descends from a functional window to a height of no more than five feet above the ground. It must also be distinct from a shared interior method of egress. The bill's requirements apply to buildings that were originally designed as a single-family dwelling, but that have been converted to multi-family dwellings. It does not apply to hotels, dormitories, or buildings that contain a fire suppression system.<sup>1</sup>

Any person found violating this requirement in a manner that is detrimental to the health, safety, or welfare of any person is guilty of a minor misdemeanor.<sup>2</sup> A person guilty of a minor misdemeanor is subject to a fine of up to \$150 and community service, not exceeding 30 hours, but is not subject to a jail term.<sup>3</sup>

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<sup>1</sup> R.C. 3781.104(B) and Section 3.

<sup>2</sup> R.C. 3781.99.

<sup>3</sup> R.C. 2929.26(D), 2929.27(D), 2929.28(A)(2)(a)(v), not in the bill.

## Fire and building codes

Additionally, the bill requires that the State Fire Code, Residential Building Code (RBC), and Nonresidential Building Code (NBC) each include a similar requirement.<sup>4</sup>

The State Fire Code applies to all buildings, and specified officers are authorized to enforce that Code. A person who violates the State Fire Code may receive a civil penalty of up to \$1,000. The Fire Safety Law also prohibits a person from knowingly violating the State Fire Code. Such a violation is a first degree misdemeanor, the penalties for which include a fine of up to \$1,000 and a jail term of up to 180 days.<sup>5</sup>

The building codes establish minimum standards for the erection, construction, repair, alteration, and maintenance of buildings: generally these activities must occur for a building inspector to become involved. The RBC applies, generally, to one-family, two-family, or three-family dwelling houses. The NBC applies, generally, to other buildings. The NBC applies statewide. The RBC applies in any area with a building department certified to enforce the RBC (but, a local building department is not required to be certified to enforce the Code). If a local government adopts a local residential building code, then that local code may only differ from the RBC by addressing matters not already addressed in the RBC. Note, however, that a local government may choose to enforce no residential building code, either the RBC or a local code.<sup>6</sup>

## Definitions

The bill defines the following terms:

- "Fire suppression system" means a system that includes devices and equipment to detect a fire, actuate an alarm, and suppress or control a fire.
- "Residential rental property" means a structure originally constructed or designed as a single-family dwelling that is being leased or otherwise rented to tenants as a multi-family dwelling for residential purposes, but does not include a hotel or a college or university dormitory.
- "Exterior means of egress" means an unblocked, functional window that can be opened from the interior of a structure and a ladder or staircase

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<sup>4</sup> R.C. 3737.82, 3781.10, and 4740.14.

<sup>5</sup> R.C. 2929.24, 2929.28, 3737.22, 3737.51, and 3737.99, not in the bill.

<sup>6</sup> R.C. 3781.10(A)(2) and (E) and R.C. 3781.01 and 3781.11, not in the bill.



that extends from that window to a length that is not more than five feet above the land on which the structure exists.<sup>7</sup>

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## HISTORY

ACTION	DATE
Introduced	08-29-14

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<sup>7</sup> R.C. 3737.82.

