

**As Reported by the House Economic Development, Commerce, and Labor  
Committee**

**132nd General Assembly**

**Regular Session  
2017-2018**

**Sub. H. B. No. 127**

**Representatives Perales, Dever**

**Cosponsors: Representatives Ashford, Henne, Lipps, Rezabek, Lepore-Hagan,  
Celebrezze, Romanchuk, West**

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**A BILL**

To amend sections 3781.03, 3781.06, 3781.061, and 1  
3781.10 and to enact sections 3781.40 to 3781.44 2  
of the Revised Code to require general 3  
contractors, subcontractors, and project 4  
managers to follow certain standards pertaining 5  
to structural steel welding and to require the 6  
Division of Industrial Compliance to certify 7  
local building officials to inspect construction 8  
projects for compliance with the standards. 9

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

**Section 1.** That sections 3781.03, 3781.06, 3781.061, and 10  
3781.10 be amended and sections 3781.40, 3781.41, 3781.42, 11  
3781.43, and 3781.44 of the Revised Code be enacted to read as 12  
follows: 13

**Sec. 3781.03.** (A) The state fire marshal, the fire chief 14  
of a municipal corporation that has a fire department, or the 15  
fire chief of a township that has a fire department shall 16  
enforce the provisions of this chapter and Chapter 3791. of the 17

Revised Code that relate to fire prevention. 18

(B) ~~The~~ (1) Except as provided in division (B) (2) of this 19  
section, the superintendent of industrial compliance, or the 20  
building inspector or commissioner of buildings in a municipal 21  
corporation, county, or township in which the building 22  
department is certified by the board of building standards under 23  
section 3781.10 of the Revised Code shall enforce in the 24  
jurisdiction of each entity all the provisions in this chapter 25  
and Chapter 3791. of the Revised Code and any rules adopted 26  
pursuant to those chapters that relate to the construction, 27  
arrangement, and erection of all buildings or parts of 28  
buildings, as defined in section 3781.06 of the Revised Code, 29  
including the sanitary condition of those buildings in relation 30  
to heating and ventilation. 31

(2) The superintendent, or the building inspector or 32  
commissioner of buildings in a municipal corporation, county, or 33  
township in which the building department is certified by the 34  
superintendent under section 3781.43 of the Revised Code shall 35  
enforce in the jurisdiction of each entity section 3781.41 of 36  
the Revised Code. 37

(C) The division of industrial compliance in the 38  
department of commerce, boards of health of health districts, 39  
certified departments of building inspection of municipal 40  
corporations, and county building departments that have 41  
authority to perform inspections pursuant to a contract under 42  
division (C) (1) of section 3703.01 of the Revised Code, subject 43  
to Chapter 3703. of the Revised Code, shall enforce this chapter 44  
and Chapter 3791. of the Revised Code and the rules adopted 45  
pursuant to those chapters that relate to plumbing. Building 46  
drains are considered plumbing for the purposes of enforcement 47

of those chapters. 48

(D) (1) In accordance with Chapter 3703. of the Revised 49  
Code, the department of the city engineer, in cities having such 50  
departments, the boards of health of health districts, or the 51  
sewer purveyor, as appropriate, shall have complete authority to 52  
supervise and regulate the entire sewerage and drainage system 53  
in the jurisdiction in which it is exercising the authority 54  
described in this division, including the building sewer and all 55  
laterals draining into the street sewers. 56

(2) In accordance with Chapter 3703. of the Revised Code, 57  
the department of the city engineer, the boards of health of 58  
health districts, or the sewer purveyor, as appropriate, shall 59  
control and supervise the installation and construction of all 60  
drains and sewers that become a part of the sewerage system and 61  
shall issue all the necessary permits and licenses for the 62  
construction and installation of all building sewers and of all 63  
other lateral drains that empty into the main sewers. The 64  
department of the city engineer, the boards of health of health 65  
districts, and the sewer purveyor, as appropriate, shall keep a 66  
permanent record of the installation and location of every drain 67  
and sewer of the drainage and sewerage system of the 68  
jurisdiction in which it has exercised the authority described 69  
in this division. 70

(E) This section does not exempt any officer or department 71  
from the obligation to enforce this chapter and Chapter 3791. of 72  
the Revised Code. 73

**Sec. 3781.06.** (A) (1) Any building that may be used as a 74  
place of resort, assembly, education, entertainment, lodging, 75  
dwelling, trade, manufacture, repair, storage, traffic, or 76  
occupancy by the public, any residential building, and all other 77

buildings or parts and appurtenances of those buildings erected 78  
within this state, shall be so constructed, erected, equipped, 79  
and maintained that they shall be safe and sanitary for their 80  
intended use and occupancy. 81

(2) Nothing in sections 3781.06 to 3781.18, 3781.40 to 82  
3781.43, and 3791.04 of the Revised Code shall be construed to 83  
limit the power of the division of industrial compliance of the 84  
department of commerce to adopt rules of uniform application 85  
governing manufactured home parks pursuant to section 4781.26 of 86  
the Revised Code. 87

(B) Sections 3781.06 to 3781.18, 3781.40 to 3781.43, and 88  
3791.04 of the Revised Code do not apply to either of the 89  
following: 90

(1) Buildings or structures that are incident to the use 91  
for agricultural purposes of the land on which the buildings or 92  
structures are located, provided those buildings or structures 93  
are not used in the business of retail trade. For purposes of 94  
this division, a building or structure is not considered used in 95  
the business of retail trade if fifty per cent or more of the 96  
gross income received from sales of products in the building or 97  
structure by the owner or operator is from sales of products 98  
produced or raised in a normal crop year on farms owned or 99  
operated by the seller. 100

(2) Existing single-family, two-family, and three-family 101  
detached dwelling houses for which applications have been 102  
submitted to the director of job and family services pursuant to 103  
section 5104.03 of the Revised Code for the purposes of 104  
operating type A family day-care homes as defined in section 105  
5104.01 of the Revised Code. 106

(C) As used in sections 3781.06 to 3781.18 and 3791.04 of the Revised Code:	107 108
(1) "Agricultural purposes" include agriculture, farming, dairying, pasturage, apiculture, algaculture meaning the farming of algae, horticulture, floriculture, viticulture, ornamental horticulture, olericulture, pomiculture, and animal and poultry husbandry.	109 110 111 112 113
(2) "Building" means any structure consisting of foundations, walls, columns, girders, beams, floors, and roof, or a combination of any number of these parts, with or without other parts or appurtenances.	114 115 116 117
(3) "Industrialized unit" means a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized unit" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized unit" does not include a manufactured home as defined by division (C) (4) of this section or a mobile home as defined by division (O) of section 4501.01 of the Revised Code.	118 119 120 121 122 123 124 125 126 127 128
(4) "Manufactured home" means a building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying	129 130 131 132 133 134 135 136

compliance with all applicable federal construction and safety standards.	137 138
(5) "Permanent foundation" means permanent masonry, concrete, or a footing or foundation approved by the division of industrial compliance of the department of commerce pursuant to Chapter 4781. of the Revised Code, to which a manufactured or mobile home may be affixed.	139 140 141 142 143
(6) "Permanently sited manufactured home" means a manufactured home that meets all of the following criteria:	144 145
(a) The structure is affixed to a permanent foundation and is connected to appropriate facilities;	146 147
(b) The structure, excluding any addition, has a width of at least twenty-two feet at one point, a length of at least twenty-two feet at one point, and a total living area, excluding garages, porches, or attachments, of at least nine hundred square feet;	148 149 150 151 152
(c) The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;	153 154 155
(d) The structure was manufactured after January 1, 1995;	156
(e) The structure is not located in a manufactured home park as defined by section 4781.01 of the Revised Code.	157 158
(7) "Safe," with respect to a building, means it is free from danger or hazard to the life, safety, health, or welfare of persons occupying or frequenting it, or of the public and from danger of settlement, movement, disintegration, or collapse, whether such danger arises from the methods or materials of its construction or from equipment installed therein, for the	159 160 161 162 163 164

purpose of lighting, heating, the transmission or utilization of 165  
electric current, or from its location or otherwise. 166

(8) "Sanitary," with respect to a building, means it is 167  
free from danger or hazard to the health of persons occupying or 168  
frequenting it or to that of the public, if such danger arises 169  
from the method or materials of its construction or from any 170  
equipment installed therein, for the purpose of lighting, 171  
heating, ventilating, or plumbing. 172

(9) "Residential building" means a one-family, two-family, 173  
or three-family dwelling house, and any accessory structure 174  
incidental to that dwelling house. "Residential building" 175  
includes a one-family, two-family, or three-family dwelling 176  
house that is used as a model to promote the sale of a similar 177  
dwelling house. "Residential building" does not include an 178  
industrialized unit as defined by division (C) (3) of this 179  
section, a manufactured home as defined by division (C) (4) of 180  
this section, or a mobile home as defined by division (O) of 181  
section 4501.01 of the Revised Code. 182

(10) "Nonresidential building" means any building that is 183  
not a residential building or a manufactured or mobile home. 184

(11) "Accessory structure" means a structure that is 185  
attached to a residential building and serves the principal use 186  
of the residential building. "Accessory structure" includes, but 187  
is not limited to, a garage, porch, or screened-in patio. 188

**Sec. 3781.061.** Whenever a county zoning inspector under 189  
section 303.16 of the Revised Code, or a township zoning 190  
inspector under section 519.16 of the Revised Code, issues a 191  
zoning certificate that declares a specific building or 192  
structure is to be used in agriculture, such building is not 193

subject to sections 3781.06 to 3781.20, 3781.40 to 3781.43, or 194  
3791.04 of the Revised Code. 195

**Sec. 3781.10.** (A) (1) The board of building standards shall 196  
formulate and adopt rules governing the erection, construction, 197  
repair, alteration, and maintenance of all buildings or classes 198  
of buildings specified in section 3781.06 of the Revised Code, 199  
including land area incidental to those buildings, the 200  
construction of industrialized units, the installation of 201  
equipment, and the standards or requirements for materials used 202  
in connection with those buildings. The board shall incorporate 203  
those rules into separate residential and nonresidential 204  
building codes. The standards shall relate to the conservation 205  
of energy and the safety and sanitation of those buildings. 206

(2) The rules governing nonresidential buildings are the 207  
lawful minimum requirements specified for those buildings and 208  
industrialized units, except that no rule other than as provided 209  
in division (C) of section 3781.108 of the Revised Code that 210  
specifies a higher requirement than is imposed by any section of 211  
the Revised Code is enforceable. The rules governing residential 212  
buildings are uniform requirements for residential buildings in 213  
any area with a building department certified to enforce the 214  
state residential building code. In no case shall any local code 215  
or regulation differ from the state residential building code 216  
unless that code or regulation addresses subject matter not 217  
addressed by the state residential building code or is adopted 218  
pursuant to section 3781.01 of the Revised Code. 219

(3) The rules adopted pursuant to this section are 220  
complete, lawful alternatives to any requirements specified for 221  
buildings or industrialized units in any section of the Revised 222  
Code. Except as otherwise provided in division (I) of this 223



section, the board shall, on its own motion or on application 224  
made under sections 3781.12 and 3781.13 of the Revised Code, 225  
formulate, propose, adopt, modify, amend, or repeal the rules to 226  
the extent necessary or desirable to effectuate the purposes of 227  
sections 3781.06 to 3781.18 of the Revised Code. 228

(B) The board shall report to the general assembly 229  
proposals for amendments to existing statutes relating to the 230  
purposes declared in section 3781.06 of the Revised Code that 231  
public health and safety and the development of the arts require 232  
and shall recommend any additional legislation to assist in 233  
carrying out fully, in statutory form, the purposes declared in 234  
that section. The board shall prepare and submit to the general 235  
assembly a summary report of the number, nature, and disposition 236  
of the petitions filed under sections 3781.13 and 3781.14 of the 237  
Revised Code. 238

(C) On its own motion or on application made under 239  
sections 3781.12 and 3781.13 of the Revised Code, and after 240  
thorough testing and evaluation, the board shall determine by 241  
rule that any particular fixture, device, material, process of 242  
manufacture, manufactured unit or component, method of 243  
manufacture, system, or method of construction complies with 244  
performance standards adopted pursuant to section 3781.11 of the 245  
Revised Code. The board shall make its determination with regard 246  
to adaptability for safe and sanitary erection, use, or 247  
construction, to that described in any section of the Revised 248  
Code, wherever the use of a fixture, device, material, method of 249  
manufacture, system, or method of construction described in that 250  
section of the Revised Code is permitted by law. The board shall 251  
amend or annul any rule or issue an authorization for the use of 252  
a new material or manufactured unit on any like application. No 253  
department, officer, board, or commission of the state other 254

than the board of building standards or the board of building 255  
appeals shall permit the use of any fixture, device, material, 256  
method of manufacture, newly designed product, system, or method 257  
of construction at variance with what is described in any rule 258  
the board of building standards adopts or issues or that is 259  
authorized by any section of the Revised Code. Nothing in this 260  
section shall be construed as requiring approval, by rule, of 261  
plans for an industrialized unit that conforms with the rules 262  
the board of building standards adopts pursuant to section 263  
3781.11 of the Revised Code. 264

(D) The board shall recommend rules, codes, and standards 265  
to help carry out the purposes of section 3781.06 of the Revised 266  
Code and to help secure uniformity of state administrative 267  
rulings and local legislation and administrative action to the 268  
bureau of workers' compensation, the director of commerce, any 269  
other department, officer, board, or commission of the state, 270  
and to legislative authorities and building departments of 271  
counties, townships, and municipal corporations, and shall 272  
recommend that they audit those recommended rules, codes, and 273  
standards by any appropriate action that they are allowed 274  
pursuant to law or the constitution. 275

(E) (1) The Except as provided in division (E) (14) of this 276  
section, the board shall certify municipal, township, and county 277  
building departments and the personnel of those building 278  
departments, and persons and employees of individuals, firms, or 279  
corporations as described in division (E) (7) of this section to 280  
exercise enforcement authority, to accept and approve plans and 281  
specifications, and to make inspections, pursuant to sections 282  
3781.03, 3791.04, and 4104.43 of the Revised Code. 283

(2) The board shall certify departments, personnel, and 284

persons to enforce the state residential building code, to 285  
enforce the nonresidential building code, or to enforce both the 286  
residential and the nonresidential building codes. Any 287  
department, personnel, or person may enforce only the type of 288  
building code for which certified. 289

(3) The board shall not require a building department, its 290  
personnel, or any persons that it employs to be certified for 291  
residential building code enforcement if that building 292  
department does not enforce the state residential building code. 293  
The board shall specify, in rules adopted pursuant to Chapter 294  
119. of the Revised Code, the requirements for certification for 295  
residential and nonresidential building code enforcement, which 296  
shall be consistent with this division. The requirements for 297  
residential and nonresidential certification may differ. Except 298  
as otherwise provided in this division, the requirements shall 299  
include, but are not limited to, the satisfactory completion of 300  
an initial examination and, to remain certified, the completion 301  
of a specified number of hours of continuing building code 302  
education within each three-year period following the date of 303  
certification which shall be not less than thirty hours. The 304  
rules shall provide that continuing education credits and 305  
certification issued by the council of American building 306  
officials, national model code organizations, and agencies or 307  
entities the board recognizes are acceptable for purposes of 308  
this division. The rules shall specify requirements that are 309  
consistent with the provisions of section 5903.12 of the Revised 310  
Code relating to active duty military service and are 311  
compatible, to the extent possible, with requirements the 312  
council of American building officials and national model code 313  
organizations establish. 314

(4) The board shall establish and collect a certification 315

and renewal fee for building department personnel, and persons 316  
and employees of persons, firms, or corporations as described in 317  
this section, who are certified pursuant to this division. 318

(5) Any individual certified pursuant to this division 319  
shall complete the number of hours of continuing building code 320  
education that the board requires or, for failure to do so, 321  
forfeit certification. 322

(6) This division does not require or authorize the board 323  
to certify personnel of municipal, township, and county building 324  
departments, and persons and employees of persons, firms, or 325  
corporations as described in this section, whose 326  
responsibilities do not include the exercise of enforcement 327  
authority, the approval of plans and specifications, or making 328  
inspections under the state residential and nonresidential 329  
building codes. 330

(7) Enforcement authority for approval of plans and 331  
specifications and enforcement authority for inspections may be 332  
exercised, and plans and specifications may be approved and 333  
inspections may be made on behalf of a municipal corporation, 334  
township, or county, by any of the following who the board of 335  
building standards certifies: 336

(a) Officers or employees of the municipal corporation, 337  
township, or county; 338

(b) Persons, or employees of persons, firms, or 339  
corporations, pursuant to a contract to furnish architectural, 340  
engineering, or other services to the municipal corporation, 341  
township, or county; 342

(c) Officers or employees of, and persons under contract 343  
with, a municipal corporation, township, county, health 344

district, or other political subdivision, pursuant to a contract 345  
to furnish architectural, engineering, or other services. 346

(8) Municipal, township, and county building departments 347  
have jurisdiction within the meaning of sections 3781.03, 348  
3791.04, and 4104.43 of the Revised Code, only with respect to 349  
the types of buildings and subject matters for which they are 350  
certified under this section. 351

(9) A certified municipal, township, or county building 352  
department may exercise enforcement authority, accept and 353  
approve plans and specifications, and make inspections pursuant 354  
to sections 3781.03, 3791.04, and 4104.43 of the Revised Code 355  
for a park district created pursuant to Chapter 1545. of the 356  
Revised Code upon the approval, by resolution, of the board of 357  
park commissioners of the park district requesting the 358  
department to exercise that authority and conduct those 359  
activities, as applicable. 360

(10) Certification shall be granted upon application by 361  
the municipal corporation, the board of township trustees, or 362  
the board of county commissioners and approval of that 363  
application by the board of building standards. The application 364  
shall set forth: 365

(a) Whether the certification is requested for residential 366  
or nonresidential buildings, or both; 367

(b) The number and qualifications of the staff composing 368  
the building department; 369

(c) The names, addresses, and qualifications of persons, 370  
firms, or corporations contracting to furnish work or services 371  
pursuant to division (E) (7) (b) of this section; 372

(d) The names of any other municipal corporation, 373

township, county, health district, or political subdivision 374  
under contract to furnish work or services pursuant to division 375  
(E) (7) of this section; 376

(e) The proposed budget for the operation of the building 377  
department. 378

(11) The board of building standards shall adopt rules 379  
governing all of the following: 380

(a) The certification of building department personnel and 381  
persons and employees of persons, firms, or corporations 382  
exercising authority pursuant to division (E) (7) of this 383  
section. The rules shall disqualify any employee of the 384  
department or person who contracts for services with the 385  
department from performing services for the department when that 386  
employee or person would have to pass upon, inspect, or 387  
otherwise exercise authority over any labor, material, or 388  
equipment the employee or person furnishes for the construction, 389  
alteration, or maintenance of a building or the preparation of 390  
working drawings or specifications for work within the 391  
jurisdictional area of the department. The department shall 392  
provide other similarly qualified personnel to enforce the 393  
residential and nonresidential building codes as they pertain to 394  
that work. 395

(b) The minimum services to be provided by a certified 396  
building department. 397

(12) The board of building standards may revoke or suspend 398  
certification to enforce the residential and nonresidential 399  
building codes, on petition to the board by any person affected 400  
by that enforcement or approval of plans, or by the board on its 401  
own motion. Hearings shall be held and appeals permitted on any 402

proceedings for certification or revocation or suspension of 403  
certification in the same manner as provided in section 3781.101 404  
of the Revised Code for other proceedings of the board of 405  
building standards. 406

(13) Upon certification, and until that authority is 407  
revoked, any county or township building department shall 408  
enforce the residential and nonresidential building codes for 409  
which it is certified without regard to limitation upon the 410  
authority of boards of county commissioners under Chapter 307. 411  
of the Revised Code or boards of township trustees under Chapter 412  
505. of the Revised Code. 413

(14) The board does not have jurisdiction over 414  
certifications governed by sections 3781.40 to 3781.44 of the 415  
Revised Code. 416

(F) In addition to hearings sections 3781.06 to 3781.18 417  
and 3791.04 of the Revised Code require, the board of building 418  
standards shall make investigations and tests, and require from 419  
other state departments, officers, boards, and commissions 420  
information the board considers necessary or desirable to assist 421  
it in the discharge of any duty or the exercise of any power 422  
mentioned in this section or in sections 3781.06 to 3781.18, 423  
3791.04, and 4104.43 of the Revised Code. 424

(G) The board shall adopt rules and establish reasonable 425  
fees for the review of all applications submitted where the 426  
applicant applies for authority to use a new material, assembly, 427  
or product of a manufacturing process. The fee shall bear some 428  
reasonable relationship to the cost of the review or testing of 429  
the materials, assembly, or products and for the notification of 430  
approval or disapproval as provided in section 3781.12 of the 431  
Revised Code. 432

(H) The residential construction advisory committee shall 433  
provide the board with a proposal for a state residential 434  
building code that the committee recommends pursuant to division 435  
(D) (1) of section 4740.14 of the Revised Code. Upon receiving a 436  
recommendation from the committee that is acceptable to the 437  
board, the board shall adopt rules establishing that code as the 438  
state residential building code. 439

(I) (1) The committee may provide the board with proposed 440  
rules to update or amend the state residential building code 441  
that the committee recommends pursuant to division (E) of 442  
section 4740.14 of the Revised Code. 443

(2) If the board receives a proposed rule to update or 444  
amend the state residential building code as provided in 445  
division (I) (1) of this section, the board either may accept or 446  
reject the proposed rule for incorporation into the residential 447  
building code. If the board does not act to either accept or 448  
reject the proposed rule within ninety days after receiving the 449  
proposed rule from the committee as described in division (I) (1) 450  
of this section, the proposed rule shall become part of the 451  
residential building code. 452

(J) The board shall cooperate with the director of job and 453  
family services when the director promulgates rules pursuant to 454  
section 5104.05 of the Revised Code regarding safety and 455  
sanitation in type A family day-care homes. 456

(K) The board shall adopt rules to implement the 457  
requirements of section 3781.108 of the Revised Code. 458

Sec. 3781.40. As used in sections 3781.40 to 3781.44 of 459  
the Revised Code: 460

(A) "Adequate welding standards" means specifications, 461



guidelines, tests, and other methods used to ensure that all 462  
structural steel welds meet, at minimum, the codes and standards 463  
for such welds established in the American welding society 464  
structural steel welding code D1.1 and the nonresidential 465  
building code adopted under section 3781.10 of the Revised Code. 466

(B) "Certified welding inspector" means a person who has 467  
been certified by the American welding society to inspect 468  
structural steel welding projects and conduct welder 469  
qualification tests. 470

(C) "Structural steel welding" means structural welds, 471  
weld repair, the structural system, and the welding of all 472  
primary steel members of a structure in accordance with the 473  
American welding society structural steel welding code D1.1. 474  
"Structural steel welding" does not include welding that is 475  
required by the American society of mechanical engineers to have 476  
its own certification. 477

**Sec. 3781.41.** A contractor, subcontractor, or project 478  
manager who is responsible for the structural steel welding on a 479  
construction project shall ensure that all of the following 480  
occur: 481

(A) All welders performing structural steel welding for 482  
the project have been tested by and hold a valid certification 483  
from a facility that has been accredited by the American welding 484  
society to test and certify welders and welding inspectors. 485

(B) All structural steel welding performed for the project 486  
meets adequate welding standards. 487

(C) All structural steel welding inspections listed in the 488  
project's job specifications are completed by a certified 489  
welding inspector. 490

<u>Sec. 3781.42. The superintendent of industrial compliance</u>	491
<u>shall adopt rules pursuant to Chapter 119. of the Revised Code</u>	492
<u>to do all of the following:</u>	493
<u>(A) Govern the inspection of structural steel welding;</u>	494
<u>(B) Require the division of industrial compliance, any</u>	495
<u>building department or personnel of any department, or any</u>	496
<u>private third party, certified pursuant to section 3781.43 of</u>	497
<u>the Revised Code to conduct all inspections of structural steel</u>	498
<u>welding to determine compliance with section 3781.41 of the</u>	499
<u>Revised Code;</u>	500
<u>(C) Establish fees for conducting inspections to determine</u>	501
<u>compliance with section 3781.41 of the Revised Code;</u>	502
<u>(D) Govern the investigation of complaints concerning any</u>	503
<u>contractor, subcontractor, or project manager who fails to</u>	504
<u>comply with section 3781.41 of the Revised Code;</u>	505
<u>(E) Establish the requirements and procedures for the</u>	506
<u>certification of building departments, building department</u>	507
<u>personnel, and private third parties pursuant to section 3781.43</u>	508
<u>of the Revised Code;</u>	509
<u>(F) Establish fees to be charged to building departments,</u>	510
<u>building department personnel, and private third parties</u>	511
<u>applying for certification and renewal of certification pursuant</u>	512
<u>to section 3781.43 of the Revised Code;</u>	513
<u>(G) Develop a policy regarding the maintenance of records</u>	514
<u>for any inspection authorized or conducted pursuant to sections</u>	515
<u>3781.40 to 3781.43 of the Revised Code.</u>	516
<u>Sec. 3781.43. (A) Pursuant to the rules the superintendent</u>	517
<u>of industrial compliance adopts under section 3781.42 of the</u>	518

Revised Code, the superintendent may certify municipal, 519  
township, and county building departments and the personnel of 520  
those departments, or any private third party, to conduct all 521  
inspections of structural steel welding to determine compliance 522  
with section 3781.41 of the Revised Code. 523

(B) On the superintendent's own motion or on the petition 524  
of a person affected by an inspection of structural steel 525  
welding to determine compliance with section 3781.41, the 526  
superintendent may investigate a municipal, township, or county 527  
building department or the personnel of those departments, or 528  
any private third party certified pursuant to this section. 529  
Following an investigation and finding of facts that support the 530  
superintendent's action, the superintendent may revoke or 531  
suspend a certification. 532

(C) (1) If a municipal corporation, township, or county 533  
does not have a building department that is certified pursuant 534  
to this section, it may designate by resolution or ordinance 535  
another building department or a private third party that has 536  
been certified pursuant to this section to conduct all 537  
inspections of structural steel welding to determine compliance 538  
with section 3781.41 of the Revised Code. The designation is 539  
effective on acceptance by the designee. 540

(2) An owner of a project involving structural steel 541  
welding or a contractor, subcontractor, or project manager of 542  
the project may request an inspection and obtain an approval 543  
from any building department or private third party certified 544  
pursuant to this section and designated pursuant to division (C) 545  
(1) of this section by the municipal corporation, township, or 546  
county in which the project is located. 547

**Sec. 3781.44.** No person shall recklessly fail to comply 548

<u>with sections 3781.41 to 3781.43 of the Revised Code or any rule</u>	549
<u>adopted thereunder.</u>	550
<b>Section 2.</b> That existing sections 3781.03, 3781.06,	551
3781.061, and 3781.10 of the Revised Code are hereby repealed.	552