

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**4781-7-04 Building departments and health departments; requirements for certification to perform inspections of manufactured homes.**

- (A) Before exercising authority to enforce Chapter 4781. of the Revised Code or the rules promulgated thereunder, and before accepting and approving plans pursuant to Chapter 4781. of the Revised Code or the rules promulgated thereunder, municipalities, townships, and county building departments and health departments and their required personnel shall be certified by the ~~commission~~division.
- (B) A building department certified by the board of building standards to enforce section 3781.10 of the Revised Code shall submit an application for certification or renewal on a form approved by the ~~commission~~division that includes:
- (1) A copy of the board of building standards ~~certificate of approval including the statement of conditions and limitations if any under which it has been issued~~certification;
  - (2) The names, addresses, and qualifications of persons, firms, or corporations contracting to furnish work or services if such persons, firms, or corporations are under contract to furnish inspection services and if authority is exercised pursuant to the contract. A minimum of one inspector certified by the ~~commission~~division, a back-up inspector certified by the ~~commission~~division, and an electrical safety inspector (ESI) as employees or under contract are required;
  - (3) The names of other municipal corporations, townships, counties, health districts, or other political subdivisions contracting work or services if such other political subdivision is under contract to furnish services related to manufactured home installation inspection;
  - (4) A signature of an authorized representative or an appropriate official for the political subdivision;
  - (5) Proof of the approval of the governmental entity through the adoption of an ordinance or resolution granting authority for the work contracted with the ~~commission~~division; and
  - ~~(6) (6) Map of the jurisdictional area; and~~
  - ~~(7) (6) Inspection~~Manufactured home inspection and plans review procedures.
- (C) Each department shall be required to ~~provide to the commission daily website updates~~update to the ~~commission~~division seal report regarding permit issuance activities pursuant to these rules, within twenty-four hours after the issuance of an installation permit.
- (D) The ~~commission~~division shall be provided with notification of changes in personnel of the department who enforce the rules of the ~~commission~~division within thirty calendar days after such personnel changes have been made.
- (E) The ~~commission~~division may revoke a building department's certification following an investigation ~~which~~that establishes that the building department or its employees violated Chapter 4781. of the Revised Code or rules promulgated thereunder. The ~~commission~~division may initiate an investigation on its own motion or upon receipt of a complaint. If the ~~commission~~division proposes to revoke an inspector or a

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building department's certification, the ~~commission~~division shall conduct a hearing pursuant to Chapter 119. of the Revised Code. If the ~~commission~~division finds that the building department inspector or the building department has violated the rules, the ~~commission~~division may ~~decertify~~revoke, suspend, ~~or~~ issue a fine, ~~or~~ do a combination thereof. Any fine imposed cannot exceed one thousand dollars per violation per day. A building department employee inspector or the building department shall return the certification and identification card to the ~~commission~~division within three business days after receipt of the ~~commission's~~division's order of revocation.

- (F) A building department's certification shall be valid for three years. Each building department shall apply for renewal of its certification prior to the expiration date of its certification. ~~date and pay a non-refundable renewal fee in an amount set forth in paragraph (G) of this rule. If the building department fails to renew its certification on or before the expiration of its certification, it shall pay the renewal fee plus an additional late fee as set forth in paragraph (G) of this rule. The certification shall not be renewed until the building department has paid the renewal and the late fee, if any. If the building department fails to renew its certification prior to the expiration of the certification, the certification shall be placed on lapsed status. A building department can activate their certification within the first three years of the lapsed status by paying the renewal fee and late fee, if any, and complying with all other requirements.~~ If the building department fails to renew its certification on or before the expiration, it must submit a new application for certification in accordance with this rule. No building department or any of its employees may perform any duties for which a certification is required under this Chapter until certification is renewed.
- (G) Fees. There is no fee for a ~~board of building standards certified~~ building department requesting ~~commission~~division certification or renewal.
- (H) A building department not certified by the board of building standards or health department may be certified by the ~~commission~~division in accordance with this rule provided the following is submitted:
- (1) Information required in paragraphs (B) to (F) of this rule;
  - (2) The following additional information:
    - (a) A copy of the ordinance/resolution creating the department, including the date established;
    - (b) An organizational chart of the department;
    - (c) List of employees or independent contractors who will be performing the inspections or plans review. A minimum of one inspector certified by the ~~commission~~division, a back-up inspector certified by the ~~commission~~division, and an electrical safety inspector (ESI) as employees or under contract are required;
    - (d) Copy(ies) of all contractual agreements, if any, regarding any persons or employee that will be providing inspections, plans review, electrical inspections, sewer connection inspections, and plumbing inspections;
    - ~~(e)~~ (e) ~~Operating budget for the current fiscal year;~~

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~~(f)(f) Population data from the last census.~~

- (3) Fees: There is no fee for a building department not certified by the board of building standards or health department requesting ~~commission~~division certification or renewal.
- (I) If a building department not certified by the board of building standards or health department fails to renew its certification on or before ~~the expiration of its certification, it shall pay the renewal fee plus an additional late fee, if any, as set forth in paragraph (H)(3) of this rule. The certification shall not be renewed until the department has paid the renewal and the late fee, if any. If the department fails to renew its certification prior to the expiration of the certification, the certification shall be placed on lapsed status. A department can activate their certification within three years of the lapsed status by paying the renewal fee and late fee, if any, and complying with all other requirements.~~expiration, it must submit a new application for certification in accordance with this rule. No building department, health department, or any of its employees may perform any duties for which a certification is required under this Chapter until certification is renewed.
- (J) After an investigation, if a finding of facts establishes that a building department or health department certified under paragraph (H) of this rule or any of their employees has not complied with Chapter 4781. of the Revised Code or the rules promulgated thereunder, the ~~commission~~division may ~~decertify~~revoke the certification of the department. The ~~commission~~division may initiate ~~and an~~ investigation on its own motion or upon receipt of a complaint. If the ~~commission~~division proposes to ~~decertify~~revoke the certification of an inspector employed by or retained by a building department or health department, the ~~commission~~division shall conduct a hearing pursuant to Chapter 119. of the Revised Code. If the ~~commission~~division finds that the department employee or inspector or the department has violated this ~~chapter~~Chapter, the ~~commission~~division may ~~decertify~~revoke, suspend, ~~or~~ issue a fine, or a combination thereof. Any fine imposed cannot exceed one thousand dollars per violation per day. A department's inspector or the department shall return the certification and identification card to the ~~commission~~division within three business days after receipt of the ~~commission's~~division's order.
- (K) As it relates to installation inspections, there will be no exclusivity under ~~this~~the commission'sdivision's authority. A certified building department or certified health department may contract with a jurisdiction outside its respective political subdivision to perform non-exclusive manufactured home installation inspections in that political subdivision, but if so, must notify the ~~Ohio manufactured homes~~commissiondivision of the non-exclusive agreement and must provide a copy of the executed contract to the ~~commission~~division prior to permitting/inspecting outside of ~~their~~its jurisdiction.