

Dept. of Commerce - Div. of State Fire Marshal

BASE INVENTORY OF REGULATORY RESTRICTIONS

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RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1301:7-7-01	Shall	101.1 Title. The rules of the state fire marshal as set forth in Chapter 1301:7-7 of the Administrative Code shall be known as the "Ohio Fire Code" abbreviated "OFC," and hereinafter in such rule may also be referred to as the "state fire code" or "this code."	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	101.2.2 Activities, locations and persons subject to the Ohio Fire Code. Unless specifically exempted or as limited by federal or state law or this code, the provisions of this code are intended to safeguard life and property from fire and explosion and shall apply to all aspects of fire safety at any structures, building, premises, vehicles or other locations within the territorial jurisdiction of the State of Ohio.	3737.22(A), 3737.82	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	101.2.2.1 Exemptions to the Ohio Fire Code. This code does not apply to any of the following: 9. The construction or installation of an industrialized unit regulated by the Ohio Building Code. All occupancy, operational and maintenance provisions of this code shall apply to all industrialized units.	3737.22(A), 3737.82, 3737.84(A), 3781.06	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall not	101.2.2.2 Limitations on applicability of the Ohio Fire Code. This code shall not be construed to: [as specified in rule]	3737.22(A), 3737.82, 3737.84(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	102.1.1 General applicability. Except as otherwise provided in paragraph (B)(1)(b) (102.1.2) of this rule, the construction and design provisions of this code shall apply to: [as specified in rule]	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO OFC APPLICABILITY: 102.1.1 General applicability. (iii) If a distinct hazard to life or property cannot be proven by the fire official by a preponderance of the evidence, the provisions of this code shall not apply to an existing building or condition.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A LIMITATION OF OFC APPLICABILITY: 102.1.2 Agricultural uses and locations. The construction and design provisions of this code, including any construction permit requirements, shall not apply to structures: (i) Subject to section 3781.061 of the Revised Code, or (ii) Otherwise exempt from the building code as listed in rule 1301:7-7-80 of the Administrative Code because such structures are being used for agricultural purposes as described in division (B)(1) of section 3781.06 of the Revised Code	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	102.3.1. All structures subject to this code may be occupied only in accordance with the provisions of the building code as listed in rule 1301:7-7-80 of the Administrative Code and, at a minimum, the following paragraphs: (i) New construction. Occupancy of a newly constructed structure must be in compliance with paragraph (E)(3)(c)(105.3.3) and paragraph (I)(1)(109.1) of this rule and paragraph (A)(5)(901.5) of rule 1301:7-7-09 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	102.3.1. All structures subject to this code may be occupied only in accordance with the provisions of the building code as listed in rule 1301:7-7-80 of the Administrative Code and, at a minimum, the following paragraphs: (ii) Existing structures. (a) Alterations. Any alterations to an existing structure shall be done in accordance with paragraph (B)(4)(102.4) of this rule	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.3.1. All structures subject to this code may be occupied only in accordance with the provisions of the building code as listed in rule 1301:7-7-80 of the Administrative Code and, at a minimum, the following paragraphs: (ii) Existing structures. (b) Change of occupancy. Any changes of occupancy to an existing structure shall be done in accordance with paragraph (B)(3)(c)(102.3.3) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.3.1. All structures subject to this code may be occupied only in accordance with the provisions of the building code as listed in rule 1301:7-7-80 of the Administrative Code and, at a minimum, the following paragraphs: (ii) Existing structures. (c) General occupancy. No existing structure or premises or part thereof that constitutes a distinct or serious hazard to life or property or is not legally in existence at the time of adoption of this code shall be occupied.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.3.2 Certificate of occupancy. A responsible person shall maintain a copy of the current certificate of occupancy for a structure regulated by the building code in accordance with rule 1301:7-7-80 of the Administrative Code and make it available to the fire code official upon request.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	102.3.3 Change of use or occupancy. Changes shall not be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the building code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	Yes, both state and federal law	No, general rulemaking authority
1301:7-7-01	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT PROVIDES AN EXCEPTION TO THE ABOVE: 102.3.3 Change of use or occupancy. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code and the building code as listed in rule 1301:7-7-80 of the Administrative Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.3.4 Limited building code occupancy approvals. Except as described in this paragraph, partial occupancy approvals issued under section 111.1.1.3 of the building code as listed in rule 1301:7-7-80 of the Administrative Code, time limited occupancy approvals issued under section 111.1.1.4 of the building code as listed in rule 1301:7-7-80 of the Administrative Code, temporary occupancy approvals issued under sections 102.8 and 111.1.1.5 of the building code as listed in rule 1301:7-7-80 of the Administrative Code, certificates of completion for alterations and repairs issued under section 111.1.2 of the building code as listed in rule 1301:7-7-80 of the Administrative Code and variances to the building code as listed in rule 1301:7-7-80 of the Administrative Code issued by the state board of building appeals pursuant to section 3781.19 of the Revised Code shall be considered, to the extent of the approval or deviation from the building code issued by such officials, as conditions compliant with the construction and design provisions of this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.3.4 Limited building code occupancy approvals. All maintenance and operational provisions of this code shall apply to such occupancies.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.3.4 Limited building code occupancy approvals. Exception: Any structure, location or condition that constitutes a distinct or serious hazard under this code. ... If the local fire code official was provided an opportunity for input at a hearing conducted by the state board of building appeals pursuant to section 3781.19 of the Revised Code and a variance to the building code for matters that impact fire safety was granted at such a hearing for a place subject to this exception, an order issued by a local fire code official under this exception shall be valid only if it is first authorized in writing by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.4 Application of building code. The planning, design and construction of new buildings and structures to provide the necessary egress facilities, fire protection, and built-in fire protection equipment shall be controlled by the building code of the jurisdiction; ...	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	102.4 Application of building code. ...and any alterations, additions or changes of occupancy in buildings required by the provisions of this code which are within the scope of the building code shall be made in accordance therewith.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.5 Application of residential code of Ohio. Where structures are designed and constructed in accordance with the residential code of Ohio as listed in rule 1301:7-7-80 of the Administrative Code, the provisions of this code shall apply as follows: (a) Construction and design provisions: To the extent consistent with Chapter 3781. of the Revised Code, the provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. ...	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.5 (a) Construction and design provisions: To the extent consistent with Chapter 3781. of the Revised Code, the provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. ...	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.5 Application of residential code of Ohio. (a) ... Where interior or exterior systems or devices are installed and such systems are not subject to the residential code of Ohio as listed in rule 1301:7-7-80 of the Administrative Code, the provisions for plan review and construction permits required by this code shall also apply.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.7.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply <i>unless otherwise provided in section 3781.11 of the Revised Code</i> .	3737.22(A), 3737.82, 3781.11(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.7.3 To the extent such rules relate to fire safety, the rules adopted by the state fire marshal in accordance with Chapter 3701., including section 3701.82, Chapter 3721., including section 3721.032, Chapter 3731., including section 3731.02, Chapter 3737., including sections 3737.17, 3737.65 and 3737.73, Chapter 3743., including sections 3743.02, 3743.03, 3743.04, 3743.05, 3743.06, 3743.15, 3743.17, 3743.18, 3743.53, 3743.56, 3743.58 and 3743.70 and Chapter 5104., including section 5104.5 of the Revised Code, shall be incorporated by reference and considered part of this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.7.6 Enforcement of rules adopted by the state fire marshal in accordance with Chapter 3701., including section 3701.82, Chapter 3721., including section 3721.032, Chapter 3731., including section 3731.02, Chapter 3737., including sections 3737.17, 3737.65 and 3737.73, Chapter 3743., including sections 3743.02, 3743.03, 3743.04, 3743.05, 3743.06, 3743.15, 3743.17, 3743.18, 3743.53, 3743.56, 3743.58 and 3743.70 and Chapter 5104., including section 5104.5 of the Revised Code shall be as provided in those Revised Code sections or such rules.	3737.22(A), 3737.82, 3721.032, 3731.02, 3737.17, 3737.65 and 3737.73, 3743.02, 3743.03, 3743.04, 3743.05, 3743.06, 3743.15, 3743.17, 3743.18, 3743.53, 3743.56, 3743.58 and 3743.70, 5104.5	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.8 <i>Harmonizing</i> provisions. Where there is a conflict between a general requirement and a specific requirement of this code or its referenced standards , the specific requirement shall be applicable.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.8 Harmonizing provisions. Where, in a specific case, different <i>paragraphs</i> of this code or its referenced standards specify different materials, methods of construction or other requirements, the most restrictive provision that provides the highest degree of safety shall govern.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.8 Harmonizing provisions. If there is a conflict between a requirement of this code and a referenced standard, the provisions of this code shall govern unless otherwise provided in section 3781.11 of the Revised Code.	3737.22(A), 3737.82, 3781.11(B)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	102.11 <i>Underground storage tanks regulated by Chapter 1301:7-9 of the Administrative Code. Underground storage tank systems subject to regulation by Chapter 1301:7-9 of the Administrative Code shall comply with the applicable regulations contained therein and the provisions of this code.</i>	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	102.11 Underground storage tanks regulated by Chapter 1301:7-9 of the Administrative Code. If the provisions of this code address similar requirements or are in conflict with the requirements of Chapter 1301:7-9 of the Administrative Code, then the provisions of Chapter 1301:7-9 of the Administrative Code shall apply.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	103.1 Fire code(s) within a political subdivision. A local fire code shall not and does not modify, repeal, invalidate or otherwise nullify any provisions of this code or any authorities reserved for the state fire marshal under this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	103.1 Fire code(s) within a political subdivision. Such local fire codes shall not be called the “Ohio Fire Code” even if such codes contain the same or similar substantive rules as this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	103.2 <i>The state fire code is a minimum statewide standard. This code shall constitute the minimum standards for safeguarding life and property from fire and explosion in this state.</i>	3737.22(A), 3737.82	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	103.3 Liability. All liability related to the application or enforcement of this code by the state or a political subdivision shall be determined in accordance with all applicable laws, immunities and defenses, including Chapters 2743. and 2744. of the Revised Code and sections 9.85, 9.86, 9.87, 2743.02 and 2744.03 of the Revised Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	103.5 Fire prevention officers. For the purposes of section 505.38(B) or 737.22(A) of the Revised Code, a fire prevention officer shall be to appointed provide services to any unincorporated area of a township not served by that township's fire department as such a department was created pursuant to sections 505.37 and 505.38(A) of the Revised Code or to a village established under title 7 of the Revised Code that has not organized a fire department.	3737.22(A), 3737.82, 505.38(B), 737.22(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	104.1 General. The fire code official is hereby authorized to enforce the provisions of this code and to the extent the state fire marshal has not rendered an interpretation or issued a "Technical Bulletin" regarding a particular topic, the fire code official shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.1 General. To the extent the state fire marshal has rendered an interpretation or issued a "Technical Bulletin" regarding the provisions of this code, such interpretation shall be definitive throughout the state and in the discretion of the state fire marshal shall supersede all prior interpretations that may have been rendered by any other fire code official.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.1 General. To the extent the state fire marshal has rendered an interpretation or issued a "Technical Bulletin" regarding the provisions of this code, such interpretation shall be definitive throughout the state and in the discretion of the state fire marshal shall supersede all prior interpretations that may have been rendered by any other fire code official.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.1 General. No other fire code official shall render an interpretation in conflict with the state fire marshal's interpretation or technical bulletin or enforce provisions of this code in a manner in conflict with the interpretation or technical bulletin rendered by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.1.1. The state fire marshal or fire chief of municipal corporations having fire departments or the fire chief of townships having fire departments shall enforce all provisions of Chapters 3781. and 3791. of the Revised Code, and any rules promulgated pursuant to those chapters, relating to fire prevention.	3737.22(A), 3737.82, 3781.03(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	104.2.1.2 For each element of the reviewed construction document that does not meet the requirements of this code, the fire code official shall, in that official's written findings, provide a specific reference to the relevant sections of this code that have not been fully satisfied.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.2.1.2 The fire code official shall provide the written findings to the building code official within a time frame appropriate for compliance with the building official's statutory requirements.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	104.2.2 Except as noted in this paragraph, construction of a structure subject to this paragraph must be in compliance with the provisions of this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.2.2.2 Notwithstanding any other provision of this paragraph or rule 1301:7-7-11 of the Administrative Code, the minimum conditions of safe occupancy as specified in this code, including paragraphs (B)(3)(a)(102.3.1) and (E)(3)(c)(iii)(105.3.3.3) of this rule, shall always apply to all structures, buildings, premises, conditions and activities subject to paragraph (A)(2)(101.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.3 Right of entry. In accordance with section 3737.14 of the Revised Code and constitutional provisions governing searches, the fire code official, and other officials or their designees as described in section 3737.14 of the Revised Code, shall have the authority to enter all buildings or vehicles or upon all premises, as such locations are described in paragraph (A)(2)(b)(101.2.2) of this rule and which are within that official's jurisdiction, at all reasonable hours to conduct an examination, inspect or investigate or to perform the duties imposed upon the official by this code.	3737.22(A), 3737.82, 3737.14	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	104.6 Official records. Such official records shall be retained in accordance with the provisions of Chapter 149. of the Revised Code.	3737.22(A), 3737.82, 149	No, general rulemaking authority	Yes, state law

1301:7-7-01	Shall	104.6.3 Fire records. If a township or village does not have an organized fire department under its own authority or it does not exist concurrently with a municipality that has established its own fire department within its jurisdiction, then, regardless of whether it contracts for fire protection services, the fire prevention officer of such townships or villages shall ensure that the reporting functions of this paragraph are complied with.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	<i>104.6.3.1 Fire reports. The fire department described in paragraph (D)(6)(c)(104.6.3) of this rule, the political subdivision served by such fire departments described in paragraph (D)(6)(c)(104.6.3) of this rule or the fire prevention officer described in paragraph (D)(6)(c)(104.6.3) of this rule shall report fire incidents required by sections 3737.23 and 3737.24 of the Revised Code using coding information and procedures prescribed by the "United States Fire Administration" in the "National Fire Incident Reporting System (NFIRS)" and shall send to the state fire marshal these reports in a manner approved by the state fire marshal.</i>	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	<i>104.6.3.1 Fire reports. The fire department described in paragraph (D)(6)(c)(104.6.3) of this rule, the political subdivision served by such fire departments described in paragraph (D)(6)(c)(104.6.3) of this rule or the fire prevention officer described in paragraph (D)(6)(c)(104.6.3) of this rule shall report fire incidents required by sections 3737.23 and 3737.24 of the Revised Code using coding information and procedures prescribed by the "United States Fire Administration" in the "National Fire Incident Reporting System (NFIRS)" and shall send to the state fire marshal these reports in a manner approved by the state fire marshal.</i>	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	<i>104.6.3.1 Fire reports. The reports shall include the "Incident Report," the "Civilian Casualty Report," and the "Fire Service Casualty Report."</i>	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	<i>104.6.3.1 Fire reports. " Electronic reporting of fire incidents to the state fire marshal must be in a format approved by both the "United States Fire Administration" and the state fire marshal as being compatible with the current version of the "National Fire Incident Reporting System."</i>	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	<i>104.6.3.1 Fire reports. Any electronic reporting also must be in a format that is specifically compatible with the software used by the state fire marshal to process such reports and transmitted in a format that has been approved by the state fire marshal.</i>	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.6.3.1 Fire reports. All reports required under this paragraph shall be submitted to the state fire marshal within thirty-one days of the incident referenced in the report.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.6.3.1 Fire reports. In months where no reportable fire incidents have occurred, the fire department described in paragraph (D)(6)(c)(104.6.3) of this rule and the political subdivision served by the fire department described in paragraph (D)(6)(c)(104.6.3) of this rule shall file a "No Activity Report" as prescribed by the state fire marshal and in a manner approved by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.7 Approved materials and equipment. Materials, equipment, devices <i>and methods of construction within the scope of the building code as listed in rule 1301:7-7-80 of the Administrative Code</i> shall be approved <i>in accordance with the provisions of the building code as listed in rule 1301:7-7-80 of the Administrative Code</i> .	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.7 Approved materials and equipment. Other materials, equipment and devices not within the scope of the building code as listed in rule 1301:7-7-80 of the Administrative Code that are approved by the fire code official shall be constructed and installed in accordance with such approval.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.7 Approved materials and equipment. The fire code official's approval of materials, equipment and devices shall be consistent with the listing and labeling or authenticated research reports from authoritative sources as set forth in paragraph (O)(115) of this rule for such materials, equipment and devices.	3737.22(A), 3737.82	Yes, both state and federal law	No, general rulemaking authority
1301:7-7-01	Shall	104.8.1 A request for variance submitted pursuant to this rule shall only be considered upon production of any information or documentation requested by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.8.1 The particulars of such variance when granted shall be in writing, entered upon the records of the state fire marshal and furnished to the applicant and the authority having jurisdiction, if said authority is other than the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.8.2 Unless otherwise stipulated by the state fire marshal upon the granting of a variance, each variance granted pursuant to this paragraph shall automatically terminate one year from the date of its issuance.	3737.22(A), 3737.82	Yes, both state and federal law	No, general rulemaking authority

1301:7-7-01	Shall	104.8.3 There shall be no automatic renewals of any variance granted pursuant to this paragraph.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.8.3 Each variance shall be specifically applied for in writing by the requesting party and independently considered by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.8.4 Variances issued by the state board of building appeals to this code shall be in accordance with section 3781.19 of the Revised Code and shall only apply to citations and orders issued under sections 3737.41 and 3737.42 of the Revised Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.8.4 Variances issued by the state board of building appeals to this code shall be in accordance with section 3781.19 of the Revised Code and shall only apply to citations and orders issued under sections 3737.41 and 3737.42 of the Revised Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	104.9 Alternative materials and methods. For the installation of any material or the use of any method of construction that is subject to the building code as listed in rule 1301:7-7-80 of the Administrative Code, any approval of an alternative method or material must be done in accordance with that code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.10 Fire investigations. The state fire marshal, or an assistant state fire marshal as designated by the state fire marshal, and the chief of the fire department of each municipal corporation in which a fire department is established, the chief of the fire department in each township in which a fire department is established, the chief of the fire department of a joint fire district, or the fire prevention officer in each township or village where no fire department is established in accordance with Section 3737.24 of the Revised Code and other Revised Code sections applicable to the investigating agency shall have the authority to investigate the cause, origin and circumstances of any major fire or explosion.	3737.22(A), 3737.82, 3737.24	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	104.10 Fire investigations. For the purposes of section 149.43 of the Revised Code, such investigations shall be considered law enforcement matters of a criminal, quasi-criminal, civil, or administrative nature.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	104.10.3 Major fire notifications to state fire marshal. Political subdivision fire departments, including such departments and private fire companies providing services to another jurisdiction that does not have a fire department, must immediately report to the state fire marshal any fire or explosion occurring within its jurisdiction or response area that caused or had a substantial risk of causing death or serious physical harm to any person(s).	3737.22(A), 3737.82, 3737.24	Yes, both state and federal law	Yes, state law
1301:7-7-01	Shall	104.11.4 Evacuation. The fire department official in charge of an actual emergency response incident, as determined by such official, shall be authorized to order the immediate evacuation of any occupied building or premise deemed unsafe when such location has hazardous conditions that present life threatening danger to building or premise occupants.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	104.11.4 Evacuation. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the fire department official in charge of the incident.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	104.11.4 Evacuation. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the fire department official in charge of the incident.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Require	105.1.1.1 Mandatory permits. The following installations or operations require a permit.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.1.1.1 Mandatory permits. Such permits shall be obtained from the fire code official as follows:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.1.1.1.1 Explosives. In addition to any discretionary permits for explosives required by the local fire code official, permits for explosives storage and explosive material storage shall be obtained from the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.1.1.1.2 Flammable and combustible liquid tanks. Permits to install, alter, remove, abandon or otherwise dispose of a flammable or combustible liquid tank or any line or dispensing device connected thereto shall be obtained from the state fire marshal when such permits are not issued by the local fire code official.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT PROVIDES AN EXCEPTION TO THE PERMITTING REQUIREMENTS ABOVE: 105.1.1.1.2 Flammable and combustible liquid tanks. Exceptions: 1. No permit shall be required to install, alter, place temporarily out of service, remove, abandon or otherwise dispose of a listed, lockable engine mounted tank that is connected to stationary pieces of equipment if all of the following apply:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT PROVIDES AN EXCEPTION TO THE PERMITTING REQUIREMENTS ABOVE: 105.1.1.1.2 Flammable and combustible liquid tanks. Exceptions: 2. No permit shall be required to install, alter, place temporarily out of service, remove, abandon or otherwise dispose of a stationary flammable or combustible liquid storage tank with a capacity of 1,100 gallons or less utilized for residential heating oil or agricultural purposes.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT PROVIDES AN EXCEPTION TO THE PERMITTING REQUIREMENTS ABOVE: 105.1.1.1.2 Flammable and combustible liquid tanks. Exceptions: 3. No permit shall be required for a stationary flammable or combustible liquid storage tank utilized at a construction site for a period of less than 90 days.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.1.1.1.3 Exhibition of fireworks. Permits required for the temporary storage and exhibition of fireworks shall be obtained from the local fire code official in accordance with the provisions of the Revised Code and rule 1301:7-7-56 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.1.1.1.4 Ammonium nitrate. In addition to any discretionary permit required by the local fire code official, an annual operational permit shall be obtained from the state fire marshal for the storage, use, manufacture, processing or handling of ammonium nitrate under this paragraph.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT PROVIDES AN EXCEPTION TO THE PERMITTING REQUIREMENTS ABOVE: 105.1.1.1.4 Ammonium nitrate. Exceptions. 1. This requirement for an annual operational permit from the state fire marshal shall not apply to ammonium nitrate within the state of Ohio that is subject to a permit under paragraph (E)(1)(a)(i)(a)(105.1.1.1.1) of this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT PROVIDES AN EXCEPTION TO THE PERMITTING REQUIREMENTS ABOVE: 105.1.1.1.4 Ammonium nitrate. Exceptions. 2. This requirement for an annual operational permit from the state fire marshal shall not apply to ammonium nitrate that is otherwise regulated by DOTn.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.1.1.2 Discretionary permits. Regardless of whether or not the local fire code official has established a permit program to issue permits for the hazardous activities set forth in paragraphs (E)(6)(105.6) and (E)(7)(105.7) of this rule, all other provisions of this code shall remain in full force and effect.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.1.1.3 Notification of hazardous activities. When a permit is not required to engage in any hazardous activity set forth in this rule, the person intending to engage in the hazardous activity shall first notify the local fire code official of that person's intent to engage in that hazardous activity.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.3.3.1 Acceptance testing of fire protection systems. Prior to the issuance by the building official of any certificate of occupancy for any building subject to paragraph (D)(2)(a)(104.2.1) of this rule, the responsible person shall notify the fire code official to be present to witness the acceptance testing of all fire protection systems.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.3.3.2 Final inspection. Prior to the issuance by the building official of any certificate of occupancy for any building subject to paragraph (D)(2)(a)(104.2.1) of this rule, the responsible person shall notify the fire code official to conduct a final inspection.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.3.3.2 Final inspection. The fire code official shall report any deficiencies of the fire protection systems to the building official.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.3.3.3 Minimum conditions for safe occupancy. No structure, premises or building, or any portion thereof, shall be occupied unless:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.3.4 Conditional approvals and permits. The fire code official shall notify the applicant of any limitations or restrictions necessary to keep the regulated activity or use safe.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Prohibit	105.3.6.1 For structures regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code. If a review of fire protection system plans in accordance with paragraph (D)(2)(a)(104.2.1) of this rule is not completed or a permit for construction is not issued pursuant to this code, the absence of such review or permit does not prohibit construction from occurring in accordance with the building official's approval.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	105.4.5.1 Where actual construction demonstrates substantial deviation from the construction documents approved by the building code official, the fire code official shall have the authority to require the responsible party to submit corrected construction documents to the building code official having jurisdiction for approval in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code and to the fire code official for review in accordance with paragraph (D)(2)(104.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Require	105.4.5.1 Where actual construction demonstrates substantial deviation from the construction documents approved by the building code official, the fire code official shall have the authority to require the responsible party to submit corrected construction documents to the building code official having jurisdiction for approval in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code and to the fire code official for review in accordance with paragraph (D)(2)(104.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	106.3 Concealed work. When required by the fire code official, it shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	106.3 Concealed work. Where any installation subject to <i>an inspection as required by this code or Chapter 3731., 3737., or 3743. of the Revised Code</i> prior to its use is covered or concealed without having first been inspected, <i>the responsible party, subject to paragraph (D)(2)(b)(104.2.2) of this rule, must uncover the work for fire code official inspection.</i>	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	107.6 Overcrowding. It shall be a violation of this code for a responsible person to permit or engage in the overcrowding of any structure, building or premise beyond the approved capacity of such structure, building or premise or in a manner that constitutes a hazard to the occupants of the location.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	<i>109.1.1 Imminent hazards. Conditions or practices in any building or upon any premises which violate the state fire code and are such that a fire or explosion hazard exists which could reasonably and imminently be expected to cause death or serious physical harm shall be addressed in accordance with section 3737.44 of the Revised Code, including obtaining the authorization of the state fire marshal or chief deputy state fire marshal prior to the issuance of any oral orders directing that a building or premises be vacated immediately.</i>	3737.22(A), 3737.82, 3737.45(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.1.2 Distinct hazards. Structural conditions constituting a distinct hazard as described in paragraph (B)(1)(a)(iii)(102.1.1) of this rule shall, in addition to other remedies authorized by sections 3737.41 through 3737.51 of the Revised Code, be resolved through the issuance of a citation in accordance with section 3737.42 of the Revised Code.	3737.22(A), 3737.82, 3737.42(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Require	109.1.2 Distinct hazards. As described in paragraph (B)(1)(a)(iii)(102.1.1) of this rule, such a citation may require the application of the construction and design provisions of this code to an existing structure or condition, regardless of whether such location is in substantial compliance with the applicable version of the building code listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Require	109.1.3 Serious hazards. If the state fire marshal, assistant state fire marshal, or certified fire safety inspector, upon examination or inspection, finds either of the following: ... (ii) the conditions at such structure, premise or location constitute a violation of, or require the application of paragraph (G)(6)(107.6) of this rule, (A)(7)(901.7) of rule 1301:7-7-09 of the Administrative Code or (A)(2)(1001.2) of rule 1301:7-7-10 of the Administrative Code to such places; the state fire marshal, assistant state fire marshal, or certified fire safety inspector is authorized to verbally order or order in writing, on a form approved by the state fire marshal, the structure, premise or location to comply with the fire code, including as described in paragraph (G)(6)(107.6) of this rule, (A)(7)(901.7) of rule 1301:7-7-09 of the Administrative Code or (A)(2)(1001.2) of rule 1301:7-7-10 of the Administrative Code, or otherwise abate the conditions causing the serious hazard.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	109.1.4. After issuance, verbal orders shall forthwith be reduced to writing on a form proscribed by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	109.1.4 Once written, all orders under this paragraph shall be provided to the responsible person and prominently posted by the responsible person at the hazard site at a location observable by any members of the public at, or by any emergency responders to, the site.	3737.22(A), 3737.82, 3737.42(A) and (C)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.1.4. If no responsible person can readily be identified, the fire code official shall post the written orders at the site.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	109.1.4 All orders issued under this section shall be converted to a citation pursuant to section 3737.42 of the Revised Code as soon as is practicable and shall include a reference to this section (so that a responsible person may appeal such order and associated code violations in accordance with section 3737.43 of the Revised Code).	3737.22(A), 3737.82, 3737.42(A), 3737.43(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.1.4 All orders issued under this section shall be converted to a citation pursuant to section 3737.42 of the Revised Code as soon as is practicable and shall include a reference to this section (so that a responsible person may appeal such order and associated code violations in accordance with section 3737.43 of the Revised Code).	3737.22(A), 3737.82, 3737.42(A), 3737.43(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.1.4 If the state fire marshal, assistant state fire marshal, or certified fire safety inspector withdraws, modifies or cancels an order under this section, such official shall immediately provide written notification to the responsible person on a form proscribed by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	109.1.5 General fire code enforcement (R.C. 3737.42 (A)). If upon inspection or investigation, the state fire marshal, an assistant state fire marshal, or a certified fire safety inspector believes that the state fire code or associated order has been violated, including for a distinct or serious hazard, the state fire marshal, assistant state fire marshal, or certified fire safety inspector shall issue a citation to the responsible person in accordance with section 3737.42 (A) of the Revised Code and paragraph (I)(4)(109.4) of this rule.	3737.22(A), 3737.82, 3737.42(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.1.5.1.2 Service. A notice of de minimis violation issued pursuant to this code shall be served upon the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation, either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility upon the premises.	3737.22(A), 3737.82, 3737.42(A) and (B), 3737.43(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.1.5.1.2 Service. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, the owner's authorized agent or occupant.	3737.22(A), 3737.82, 3737.42(A), 3737.43(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	109.1.5.1.2 Service. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, the owner's authorized agent or occupant.	3737.22(A), 3737.82, 3737.42(A), 3737.43(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	109.1.5.1.3 Compliance with orders and notices. A notice of de minimis violation issued or served as provided by this code shall be complied with by the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.	3737.22(A), 3737.82, 3737.42(A) and (B), 3737.43(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	109.1.6 Enforcement to remedy dangerous conditions. If the state fire marshal, assistant state fire marshal, or certified fire safety inspector, upon examination or inspection, finds a building or other structure especially liable to fire or endangers life or other buildings or property, or finds a building or any premises with combustible, explosive or flammable materials which are dangerous to the safety of persons or finds any structure, tank, container or vehicle used for the storage, handling or transportation of flammable or combustible materials to be dangerous to the safety of persons, the state fire marshal, assistant state fire marshal, or certified fire safety inspector shall issue a citation in accordance with section 3737.41 of the Revised Code and paragraph (I)(4)(109.4) of this rule.	3737.22(A), 3737.82, 3737.41(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.1.6 Enforcement to remedy dangerous conditions. Nothing in this paragraph shall be construed as prohibiting or limiting a fire code official's ability to take any other enforcement actions authorized by chapter 3737. of the Revised Code, including issuance of citation pursuant to section 3737.42 of the Revised Code.	3737.22(A), 3737.82, 3737.42(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	109.3 Citations and notices of hearing. Issuance and enforcement of citations and orders are regulated by sections 3737.41 to 3737.46 of the Revised Code. Citations, orders and notices of hearing shall be issued in accordance with this paragraph and Chapter 119. of the Revised Code.	3737.22(A), 3737.82, 3737.43(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	<i>109.3.1 Form of citation. Every citation and notice of hearing shall be in writing.</i>	3737.22(A), 3737.82, 3737.42(A)	No, general rulemaking authority	Yes, state law

1301:7-7-01	Shall	109.3.2 Citation requirements. Every citation shall be issued in accordance with section 3737.41 or 3737.42 of the Revised Code.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.2 Citation requirements. Each citation issued under section 3737.42 of the Revised Code shall be in writing and shall describe with particularity the nature of the violation, including a reference to the provision of the state fire code or associated order alleged to have been violated.	3737.22(A), 3737.82, 3737.42(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.2 Citation requirements. Each citation issued under section 3737.42 of the Revised Code shall be in writing and shall describe with particularity the nature of the violation, including a reference to the provision of the state fire code or associated order alleged to have been violated.	3737.22(A), 3737.82, 3737.42(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.2 Citation requirements. In addition, the citation shall fix a reasonable time for the abatement of the violation.	3737.22(A), 3737.82, 3737.42(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.2 Citation requirements. When the citation is issued by a certified fire safety inspector or an assistant fire marshal, a copy of the citation shall be furnished to the fire marshal.	3737.22(A), 3737.82, 3737.42(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.3 Posting of citation by responsible party. For each citation issued under section 3737.42 of the Revised Code, a copy or copies of the citation shall be prominently posted by the responsible person at or near each place a violation referred to in the citation occurs and shall be clearly visible to any member of the public that enters a structure or premises that is subject to the citation.	3737.22(A), 3737.82, 3737.42(C)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.3 Posting of citation by responsible party. For each citation issued under section 3737.42 of the Revised Code, a copy or copies of the citation shall be prominently posted by the responsible person at or near each place a violation referred to in the citation occurs and shall be clearly visible to any member of the public that enters a structure or premises that is subject to the citation.	3737.22(A), 3737.82, 3737.42(C)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.3 Posting of citation by responsible party. Citations shall remain posted until dismissed, the state board of building appeals authorizes the removal of the posted citation or all of the hazardous conditions in the citation are verified by the issuing agency as being remedied.	3737.22(A), 3737.82, 3737.42(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	109.3.4 Notice of appeal. Every responsible person issued a citation under section 3737.41 or 3737.42 of the Revised Code shall be given, as provided by section 3737.43 of the Revised Code and within a reasonable time after such inspection or investigation and in accordance with Chapter 119. of the Revised Code, notice of the citation and penalty, if any, proposed to be assessed under section 3737.51 of the Revised Code, and of the responsible person's right to appeal the citation and penalty, under Chapter 119. of the Revised Code, to the state board of building appeals established under section 3781.19 of the Revised Code within thirty days after receipt of the notice.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A), 3737.43(A), 3737.51	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.5 Service of citations. Every citation and notice of hearing shall be delivered in accordance with section 119.07 of the Revised Code.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A), 3737.43(A), 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.5 Service of citations. Every citation and notice of hearing shall be delivered by registered mail, return receipt requested and a copy of the notice shall be mailed to attorneys or other representatives of record representing the party.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A), 3737.43(A), 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.5 Service of citations. Every citation and notice of hearing shall be delivered by registered mail, return receipt requested and a copy of the notice shall be mailed to attorneys or other representatives of record representing the party.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A), 3737.43(A), 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.5 Service of citations. When any notice sent by registered mail, as required by sections 119.01 to 119.13 of the Revised Code, is returned because the party fails to claim the notice, the agency shall send the notice by ordinary mail to the party at the party's last known address and shall obtain a certificate of mailing.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A), 3737.43(A), 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.5 Service of citations. When any notice sent by registered mail, as required by sections 119.01 to 119.13 of the Revised Code, is returned because the party fails to claim the notice, the agency shall send the notice by ordinary mail to the party at the party's last known address and shall obtain a certificate of mailing.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A), 3737.43(A), 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.5 Service of citations. If any notice sent by registered or ordinary mail is returned for failure of delivery, the agency either shall make personal delivery of the notice by an employee or agent of the agency or shall cause a summary of the substantive provisions of the notice to be published once a week for three consecutive weeks in a newspaper of general circulation in the county where the last known address of the party is located.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A), 3737.43(A), 119.07	No, general rulemaking authority	Yes, state law

1301:7-7-01	Shall	109.3.5 Service of citations. If any notice sent by registered or ordinary mail is returned for failure of delivery, the agency either shall make personal delivery of the notice by an employee or agent of the agency or shall cause a summary of the substantive provisions of the notice to be published once a week for three consecutive weeks in a newspaper of general circulation in the county where the last known address of the party is located.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A), 3737.43(A), 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.5 Service of citations. When notice is given by publication, a proof of publication affidavit, with the first publication of the notice set forth in the affidavit, shall be mailed by ordinary mail to the party at the party's last known address and the notice shall be deemed received as of the date of the last publication.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A), 3737.43(A), 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.3.5 Service of citations. When notice is given by publication, a proof of publication affidavit, with the first publication of the notice set forth in the affidavit, shall be mailed by ordinary mail to the party at the party's last known address and the notice shall be deemed received as of the date of the last publication.	3737.22(A), 3737.82, 3737.41(A), 3737.42(A), 3737.43(A), 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.4 Civil penalties for violations of the Ohio Fire Code. 1. Any person who has received a citation for a serious violation of the fire code or any order issued pursuant to it, shall be assessed a civil penalty of not more than one thousand dollars for each such violation.	3737.22(A), 3737.82, 3737.51(B)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.4 Civil penalties for violations of the Ohio Fire Code. 4. Any person who violates any of the posting requirements, as prescribed by division (C) of section 3737.42 of the Revised Code, shall be assessed a civil penalty of not more than one thousand dollars for each violation.	3737.22(A), 3737.82, 3737.42(C), 3737.51(E)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	<i>109.4.1 Appropriateness of penalty. Due consideration to the appropriateness of the penalty with respect to the gravity of the violation, the good faith of the person being charged, and the history of previous violations shall be given whenever a penalty is assessed under this chapter.</i>	3737.22(A), 3737.82, 3737.51(F)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.4.2 Serious violation. For purposes of this section, a serious violation shall be considered to exist if there is a substantial probability that an occurrence causing death or serious physical harm to persons could result from a condition which exists, or from one or more practices, means, methods, operations or processes which have been adopted or are in use, unless the person did not and could not with the exercise of reasonable diligence, know of the presence of the violation.	3737.22(A), 3737.82, 3737.51(G)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	109.4.3 Payment of civil penalties. Civil penalties imposed by this chapter shall be paid to the fire marshal for deposit into the general revenue fund.	3737.22(A), 3737.82, 3737.51(H)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	110.1 General. If during the inspection of a premises, the fire code official finds a building or structure or any building system, in whole or in part, constitutes a dangerous condition described in division (A), (B) or (C) of section 3737.41 of the Revised Code, the fire code official shall issue such citation and orders to remove or remedy the condition as shall be deemed necessary in accordance with section 3737.41 of the Revised Code and shall, as appropriate, refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required.	3737.22(A), 3737.82, 3737.41(A), (B) and (C)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	110.1 General. If during the inspection of a premises, the fire code official finds a building or structure or any building system, in whole or in part, constitutes a dangerous condition described in division (A), (B) or (C) of section 3737.41 of the Revised Code, the fire code official shall issue such citation and orders to remove or remedy the condition as shall be deemed necessary in accordance with section 3737.41 of the Revised Code and shall, as appropriate, refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required.	3737.22(A), 3737.82, 3737.41(A), (B) and (C)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	110.1 General. [Unsafe buildings] Nothing in this paragraph shall be construed as prohibiting or limiting a fire code official's ability to take any other enforcement actions authorized by Chapter 3737. of the Revised Code, including issuance of citation pursuant to section 3737.42 of the Revised Code.	3737.22(A), 3737.82, 3737.41(D)	No, general rulemaking authority	Yes, state law

1301:7-7-01	Shall	110.1.1 Unsafe conditions. (i) If the fire code official finds an unsafe condition as described in this paragraph that constitutes an imminent hazard, as that term is used in section 3737.44 of the Revised Code, such fire code official shall take actions as required by section 3737.44 of the Revised Code and paragraph (I)(1)(a)(109.1.1) of this rule.	3737.22(A), 3737.82, 3737.44	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	110.1.1 Unsafe conditions. (ii) If the fire code official finds an unsafe condition as described in this paragraph that violates specific provisions of this code, such fire code official shall take such enforcement actions as provided for in this rule including, but not limited to, the issuance of a citation pursuant to section 3737.42 of the Revised Code.	3737.22(A), 3737.82, 3737.42(A),	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	111.2 Issuance. A stop work order shall be issued in accordance with section 3737.42 of the Revised Code, be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person doing the work and a copy shall be provided to the building official having jurisdiction.	3737.22(A), 3737.82, 3737.42(A), 3781.031(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	111.2 Issuance. A stop work order shall be issued in accordance with section 3737.42 of the Revised Code, be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person doing the work and a copy shall be provided to the building official having jurisdiction.	3737.22(A), 3737.82, 3737.42(A), 3781.031(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall not	111.3 Emergencies. Where an emergency exists, meeting the definition of an imminent hazard as described in section 3737.44 of the Revised Code, the fire code official shall not be required to give a written notice prior to stopping the work, provided that the stop work order is issued in accordance with sections 3737.44 and 3737.46 of the Revised Code.	3737.22(A), 3737.82, 3737.42(A), 3737.44(A) and (C), 3781.031(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties in accordance with paragraph (I)(4)(109.4) of this rule or other applicable laws, rules and regulations.	3737.22(A), 3737.82, 3781.031(A) and (C), 3737.51(A), 3737.99(B)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties in accordance with paragraph (I)(4)(109.4) of this rule or other applicable laws, rules and regulations.	3737.22(A), 3737.82, 3781.031(A) and (C), 3737.51(A), 3737.99(B),	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	112.1 Permit fees. The fee for all permits issued by the state fire marshal shall be seventy-five dollars unless specifically indicated otherwise in this code.	3737.22(A)(10) and (12), 3737.82	Yes, state law	Yes, state law
1301:7-7-01	Shall	112.2 Construction inspection fees. The state fire marshal shall require new construction inspection fees as follows:	3737.22(A), 3737.82, 3737.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Require	112.2 Construction inspection fees. The state fire marshal shall require new construction inspection fees as follows:	3737.22(A), 3737.82, 3737.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	112.3 Fire safety inspection fees. The state fire marshal shall require fire safety inspection fees for all other inspections as follows:	3737.22(A), 3737.82, 3737.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Require	112.3 Fire safety inspection fees. The state fire marshal shall require fire safety inspection fees for all other inspections as follows: [as specified in rule]	3737.22(A), 3737.82, 3737.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT PROVIDES AN EXCEPTION TO APPLICABLE INSPECTION FEES: 112.3 Fire safety inspection fees. Exception. 1. The inspection fee for the initial inspection conducted pursuant to the application for any license issued by the state fire marshal shall be included in the application fee.	3737.22(A), 3737.82, 3737.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT PROVIDES AN EXCEPTION TO THE APPLICABLE INSPECTION FEES: 112.3 Fire safety inspection fees. Exception. 2. Fire safety inspection fees for child daycare and child foster homes caring for eleven or fewer children shall be fifty dollars.	3737.22(A), 3737.82, 3737.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	113.1 <i>When any person desires to petition the state fire marshal to adopt, amend or rescind a provision of this code, such person shall file on a format prescribed by the state fire marshal the petition with the state fire marshal.</i>	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	113.1.1. The adoption, amendment or rescission of any provision of this code shall be accomplished according to Chapter 119. and sections 3737.82 and 3737.86 of the Revised Code.	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	113.2 The petition shall include the following: [as specified in rule]	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	113.3 Changes. Petitions for adoption, amendment or rescission of this code, required under this rule, shall conform to the requirements of this rule including:	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	113.3.1. All matter proposed to be eliminated from this code shall be deleted by means of striking through the text.	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	113.3.2. All proposed new matter to be inserted into this code shall be inserted and be underlined.	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	114.1 Procedures. The procedure of the state fire marshal for giving public notice for the adoption, amendment or recession of the rules shall be in accordance with Chapter 119. and section 3737.86 of the Revised Code, and this paragraph.	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	114.2 The state fire marshal shall cause: [notice as specified in rule]	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	114.3 The state fire marshal shall be authorized to give additional notice to such public hearing as the state fire marshal deems necessary; however, the giving of such additional notice shall not be mandatory and the failure to give notice by any means other than as specified in paragraph (N)(2)(114.2) of this rule shall not in any way invalidate any action which may be taken by the state fire marshal.	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall not	114.3 The state fire marshal shall be authorized to give additional notice to such public hearing as the state fire marshal deems necessary; however, the giving of such additional notice shall not be mandatory and the failure to give notice by any means other than as specified in paragraph (N)(2)(114.2) of this rule shall not in any way invalidate any action which may be taken by the state fire marshal.	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall not	114.3 The state fire marshal shall be authorized to give additional notice to such public hearing as the state fire marshal deems necessary; however, the giving of such additional notice shall not be mandatory and the failure to give notice by any means other than as specified in paragraph (N)(2)(114.2) of this rule shall not in any way invalidate any action which may be taken by the state fire marshal.	3737.22(A), 3737.82, 3738.86, 119.03	No, general rulemaking authority	Yes, state law
1301:7-7-01	Require	115.1 In those cases in which a product is proposed for use in Ohio, but such product does not meet specific standards set by the "Ohio Fire Code," the state fire marshal may require authenticated research reports from conformity assessment bodies recognized by the board of building standards pursuant to section 114 of the "Ohio Building Code" as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Require	115.1 If no applicable or appropriate conformity assessment body is recognized by the board of building standards for the product proposed for use in Ohio, the state fire marshal may require authenticated research reports from approved authoritative sources to assist in determining the acceptability of that product.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	116.1 If such federal standards [flammability of consumer goods] change subsequent to the effective date of this rule, only those rules or portions of those rules which are identical to the federal standards shall remain in effect.	3737.22(A), 3737.82, 3737.83(D)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	117.1 Notification of fires in buildings. In the event of an unfriendly fire (as defined in rule 1301:7-7-02 of the Administrative Code) in any building regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the responsible person (as defined in rule 1301:7-7-02 of the Administrative Code) shall, in accordance with section 3737.63 of the Revised Code, immediately and with all reasonable dispatch and diligence, call or otherwise notify the fire department concerning the fire and shall spread an alarm immediately to all occupants of the building.	3737.22(A), 3737.82, 3737.63	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	117.1 Notification of fires in buildings. In the event of an unfriendly fire (as defined in rule 1301:7-7-02 of the Administrative Code) in any building regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the responsible person (as defined in rule 1301:7-7-02 of the Administrative Code) shall, in accordance with section 3737.63 of the Revised Code, immediately and with all reasonable dispatch and diligence, call or otherwise notify the fire department concerning the fire and shall spread an alarm immediately to all occupants of the building.	3737.22(A), 3737.82, 3737.63	No, general rulemaking authority	Yes, state law

1301:7-7-01	Shall	117.2 Notification of fires at a premises. In the event of an unfriendly fire (as defined in rule 1301:7-7-02 of the Administrative Code) at any premises, the responsible person (as defined in rule 1301:7-7-02 of the Administrative Code) shall immediately and with all reasonable dispatch and diligence, call or otherwise notify the fire department concerning the fire and shall spread an alarm immediately to all occupants of the premises.	3737.22(A), 3737.82, 3737.63	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	117.2 Notification of fires at a premises. In the event of an unfriendly fire (as defined in rule 1301:7-7-02 of the Administrative Code) at any premises, the responsible person (as defined in rule 1301:7-7-02 of the Administrative Code) shall immediately and with all reasonable dispatch and diligence, call or otherwise notify the fire department concerning the fire and shall spread an alarm immediately to all occupants of the premises.	3737.22(A), 3737.82, 3737.63	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	117.3 Reporting of fires. Unfriendly fires shall be reported to the fire department having jurisdiction.	3737.22(A), 3737.82, 3737.63	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	117.3 Reporting of fires. As described in paragraph (D)(6)(c)(104.6.3) of this rule, the fire chief or other specified authority shall make a report and forward a copy of said report to the state fire marshal of such	3737.22(A), 3737.82, 3737.24	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	117.3 As required by section 3737.24 of the Revised Code, the reporting official shall immediately notify the state fire marshal of the fire being investigated in accordance with that paragraph, and within one week of the occurrence of the fire shall furnish the state fire marshal with a written statement of all facts relating to its cause and origin and such other information as is required by forms provided by the state fire marshal.	3737.22(A), 3737.82, 3737.24	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	117.3 As required by section 3737.24 of the Revised Code, the reporting official shall immediately notify the state fire marshal of the fire being investigated in accordance with that paragraph, and within one week of the occurrence of the fire shall furnish the state fire marshal with a written statement of all facts relating to its cause and origin and such other information as is required by forms provided by the state fire marshal.	3737.22(A), 3737.82, 3737.24	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.1 License to operate a hotel or SRO facility. For those facilities defined as a hotel or SRO facility in section 3731.01 of the Revised Code, the issuance of a license shall be contingent upon compliance with Chapter 3731. of the Revised Code and rules adopted pursuant to section 3731.02 of the Revised Code.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.1.1. As required by division (D) of section 3731.03 of the Revised Code, all hotel and SRO licenses shall expire on the last day of December of each year.	3737.22(A), 3737.82, 3731.02(A), 3731.03(D)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.1.1 All applications to renew a license to operate a hotel shall be submitted to the state fire marshal in accordance with this paragraph.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.1.2. If any owner, operator, lessee, or responsible person in control of a hotel or SRO facility licensed pursuant to Chapter 3731. of the Revised Code and this paragraph maintains or operates a hotel or SRO facility where accommodations for assignation purposes are furnished, or if any owner, operator, or responsible person in control of such a hotel or SRO facility has been convicted of keeping a place in violation of the law relating to houses of assignation or places of public nuisance the owner, operator, or responsible person shall notify the state fire marshal of the conviction or finding in writing by submitting a copy of the judgement entry or other court termination or of the operation in writing by submitting other documentation notifying the state fire marshal of the activity.	3737.22(A), 3737.82, 3731.02(A), 3731.03(F)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.1.2 The notification to the state fire marshal shall be made within 60 days of the activity, the conviction or the finding, or upon submission of a license renewal application, whichever is earlier.	3737.22(A), 3737.82, 3731.02(A), 3731.03(F)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.3.2 A SRO facility shall include, at a minimum, a sleeping area with adequate sleeping accommodations for the guest such as a bed, bunk, cot or other furniture designed for sleeping.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.3.3 No person licensed to maintain and operate a hotel or SRO facility shall also maintain and operate an agricultural labor camp, apartment house, lodging house, rooming house, or hospital or college dormitory in the same structure as is located the licensed hotel, unless the agricultural labor camp, apartment house, lodging house, rooming house or hospital or college dormitory has been constructed as, and been approved by the building official having jurisdiction over it as being a separate building within the hotel structure in accordance with approved building rated separation assemblies.	3737.22(A), 3737.82, 3731.02(A), 3731.03(G)(1)	No, general rulemaking authority	Yes, state law

1301:7-7-01	Must	118.3.3.1 Upon initial application for licensure or upon request of the state fire marshal, a hotel or SRO facility seeking approval of separated uses as described in paragraph (R)(3)(c)(118.3.2) of this rule, must submit to the state fire marshal a valid certificate of occupancy that clearly indicates the separation of such uses as issued by the building official having jurisdiction and any other documentation requested by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(G)(1)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	118.3.3.2 The state fire marshal shall not issue more than one hotel or SRO license for any structure.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.3.4 The most current license issued to a hotel or SRO facility shall be kept in the office of such hotel or SRO facility and produced for review when requested by the fire code official or displayed in a conspicuous and public manner therein.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.3.5 For purposes of determining compliance with administrative licensure requirements, each hotel or SRO facility shall maintain on the premises, a register or guest information records or written occupancy agreement for a period of two years and provide such information upon request of the state fire marshal or	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.3.5 The register, guest information records or written occupancy agreements shall clearly indicate the dates of arrival and departure for occupants in such guestroom.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.3.6 Each licensed hotel or SRO facility shall maintain a responsible person on duty on the premises or provide appropriate notification information posted in a conspicuous place visible from the exterior.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.3.7 Every hotel and SRO facility shall have proper plumbing, lighting and ventilation installed and maintained in accordance with the building code, plumbing code and mechanical code as listed in rule 1301:7-7-80 of the Administrative Code and this code.	3737.22(A), 3737.82, 3731.02(A), 3731.10	No, general rulemaking authority	Yes, state law
1301:7-7-01	Must	118.3.8 The responsible person for the hotel or SRO facility must safely and properly maintain the building, structure, premises or lot at all times in accordance with this code, other jurisdictional codes and ordinances and the International Property Maintenance Code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.3.9 The responsible person of a licensed hotel shall post in each guestroom the hotel room rate indicating the maximum actual rate and include the maximum rate per number of actual occupants.	3737.22(A), 3737.82, 3731.02(A), 3731.16	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.3.10 The responsible person or licensee of a hotel or SRO facility shall post the arson laws, as set forth in sections 2909.02 and 2909.03 of the Revised Code, in a conspicuous place in each guestroom, sleeping room, or dwelling unit in the facility.	3737.22(A), 3737.82, 3731.02(A), 3737.61	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.3.11 The responsible person or licensee of a hotel or SRO facility shall post emergency egress routes or escape routes in a conspicuous place in each guestroom, sleeping room, or dwelling unit in the facility	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.4.2 No person licensed to operate a transient hotel shall also maintain and operate an agricultural labor camp, apartment house, lodging house, rooming house, or hospital or college dormitory in the same structure as is located a licensed transient hotel, unless the licensee complies with the requirements of paragraphs (R)(3)(c)(118.3.3), (R)(3)(c)(i)(118.3.3.1) and (R)(3)(c)(ii)(118.3.3.2) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.03(G)(1)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall not	118.4.3 The responsible person or licensee of a transient hotel licensed pursuant to division (A)(2) of section 3731.01 of the Revised Code shall not permit guests to stay in guestrooms or sleeping rooms for periods in excess of thirty (30) days.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.03	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT PROVIDES AN EXCEPTION TO THE APPLICABLE OCCUPANCY TIME LIMITATIONS: 118.4.3 Exception: Guests are permitted to stay up to 270 days in transient hotel guestrooms and sleeping rooms when all of the following conditions are met: 8. Smoke detectors, which shall be properly installed in all guestrooms and sleeping rooms of a transient hotel that provides 270 day stay hotel rooms to guests, annunciate at a constantly attended location from which the structure's fire alarm system can be manually activated.	3737.22(A), 3737.82, 3731.02(A), 3131.01, 3731.04(A), 3731.041(A) and (C)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.5.2 No person licensed to operate an extended stay hotel shall also maintain and operate an agricultural labor camp, apartment house, lodging house, rooming house, or hospital or college dormitory in the same structure as is located a licensed extended stay hotel, unless the licensee complies with the requirements of paragraphs (R)(3)(c)(118.3.3), (R)(3)(c)(i)(118.3.3.1) and (R)(3)(c)(ii)(118.3.3.2) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.03(G)(1)	No, general rulemaking authority	Yes, state law

1301:7-7-01	Shall	118.5.3 No person shall operate an extended stay hotel as defined in rule 1301:7-7-02 of the Administrative Code without first obtaining a license from the state fire marshal for the extended stay hotel licensure category pursuant to paragraph (R)(1)(118.1) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.5.4.1 The building official having jurisdiction shall approve through a valid certificate of occupancy and the state fire marshal shall approve any dwelling unit or other room that is to be used for stays of less than thirty (30) days.	3737.22(A), 3737.82, 3731.02(A), 3731.04(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.5.4.1 The building official having jurisdiction shall approve through a valid certificate of occupancy and the state fire marshal shall approve any dwelling unit or other room that is to be used for stays of less than thirty (30) days.	3737.22(A), 3737.82, 3731.02(A), 3731.04(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.5.4.1 This certificate of occupancy shall indicate the specific rooms within the structure that are approved for use as transient sleeping rooms.	3737.22(A), 3737.82, 3731.02(A), 3731.04(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall not	118.5.5 The state fire marshal shall not issue an extended stay hotel license for a facility and no person shall operate a facility as an extended stay hotel as defined in (c) 118.5.3 unless a valid certificate of occupancy has been obtained for the facility.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.04(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.5.5 The state fire marshal shall not issue an extended stay hotel license for a facility and no person shall operate a facility as an extended stay hotel as defined in (c) 118.5.3 unless a valid certificate of occupancy has been obtained for the facility.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.04(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.5.5 No person shall operate an extended stay hotel as defined in rule 1301:7-7-02 of the Administrative Code without first obtaining a license from the state fire marshal for the extended stay hotel licensure category pursuant to paragraph (R)(1)(118.1) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.5.6 Provisions for cooking, as approved by the building official having jurisdiction, shall be provided in each dwelling unit and consist of a space for food preparation, one cooking appliance, and a properly plumbed kitchen sink separate from the bathroom lavatory.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.12	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.5.7 Provisions for eating within the dwelling unit shall be provided and shall consist of appropriate furnishings for the consumption of food.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.12	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.5.7 Provisions for eating within the dwelling unit shall be provided and shall consist of appropriate furnishings for the consumption of food.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.12	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.5.8 Provisions for living within the dwelling unit shall be provided and shall consist of a bath area for personal hygiene that is separated from other areas in the dwelling unit and is equipped with a properly plumbed water closet, lavatory and tub/shower.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.15(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.5.8 Provisions for living within the dwelling unit shall be provided and shall consist of a bath area for personal hygiene that is separated from other areas in the dwelling unit and is equipped with a properly plumbed water closet, lavatory and tub/shower.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.15(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.5.9 Provisions for sleeping within the dwelling unit shall be provided and, at a minimum, consist of a sleeping area with adequate sleeping accommodations for each guest such as a bed, bunk, cot or other furniture designed for sleeping and accompanying bedding, mattress, box spring, pillow(s), sheets and pillow cases.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.12(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.6.2 No person licensed to operate a residential hotel shall also maintain and operate an agricultural labor camp, apartment house, lodging house, rooming house, or hospital or college dormitory in the same structure as is located a licensed residential hotel, unless the licensee complies with the requirements of paragraphs (R)(3)(c)(118.3.3), (R)(3)(c)(i)(118.3.3.1) and (R)(3)(c)(ii)(118.3.3.2) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(G)(1)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.6.3 No person shall operate a residential hotel as defined in rule 1301:7-7-02 of the Administrative Code without first obtaining a license from the state fire marshal for the residential hotel licensure category pursuant to paragraph (R)(1)(118.1) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.6.4 Residential hotels shall only be kept, used, maintained, advertised, and held out to the public for minimum stays of more than thirty (30) days.	3737.22(A), 3737.82, 3731.02(A), 3731.01	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.6.5 Responsible persons and licensees of licensed residential hotels shall, upon request of the dwelling unit guest, provide furniture adequate for living, eating, cooking, sanitation and sleeping within the dwelling unit.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.12(D)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.6.5 Furniture or furnishings provided for sleeping and sanitation shall include bed, blankets, sheets and pillow cases, towels and washcloths.	3737.22(A), 3737.82, 3731.02(A), 3731.01, 3731.12(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	118.7.1 To obtain a new or renewal hotel or SRO facility license, the applicant shall submit to the state fire marshal an application with the appropriate fee payment as set forth in paragraph (R)(7)(c)(118.7.3) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B), 3737.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.1 The application shall be in a form as prescribed by the state fire marshal and shall include all information required by Chapter 3731. of the Revised Code, by this paragraph and by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.1 The application shall be in a form as prescribed by the state fire marshal and shall include all information required by Chapter 3731. of the Revised Code, by this paragraph and by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2 Each applicant for a hotel facility license shall specify on the application provided by the state fire marshal the appropriate licensure category, indicating whether the facility is a transient hotel (including those that contain transient 270 day stay hotel rooms), extended stay hotel, or a residential hotel as those terms are defined in rule 1301:7-7-02 of the Administrative Code.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.1 Each applicant for a transient hotel licensure category license shall provide documentation accompanying the license application as prescribed by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.1 Upon initial application or request of the state fire marshal, such documentation shall include a valid certificate of occupancy demonstrating approval of sleeping accommodations for transient guests for a period of thirty days or less.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B), 3731.04	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.1.1 Each applicant for a transient hotel facility license shall specify on the application provided by the state fire marshal which rooms, meeting the requirements of section 3731.041 of the Revised Code, by room number, are offered for a period of more than 30 days but less than 270 days.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B), 3731.04	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.2 Each applicant for an extended stay hotel licensure category license shall provide documentation accompanying the license application as prescribed by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B), 3731.04	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.2 Upon initial application or request of the state fire marshal such documentation shall include a valid certificate of occupancy demonstrating that each unit the licensee intends to use as an extended stay guestroom has been specifically approved as a dwelling unit or efficiency containing provisions for living, eating, cooking, sanitation and sleeping.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B), 3731.04	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.2.1 Each applicant for an extended stay hotel facility license shall specify on the application provided by the state fire marshal which rooms, by room number, are offered for occupancy for periods exceeding 30 days.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B), 3731.04	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.2.2. The valid certificate of occupancy shall list the specific rooms by room number that are approved as dwelling units.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B), 3731.04	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.2.2 In addition, the valid certificate of occupancy shall demonstrate that the dwelling units have both of the following types of features:	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B), 3731.04	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.3 Each applicant for a SRO facility license shall complete the application provided by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.3.1 Upon initial application or request of the state fire marshal, each applicant for an SRO facility license shall provide a valid certificate of occupancy demonstrating a use group classification for the SRO facility of R-2 as approved and issued by the building official having jurisdiction.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A) and (B), 3731.04	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.3.1 Any facility operating prior to October 16, 1996, in the nature of a SRO facility, whether previously licensed as a hotel or not, shall be permitted to provide documentation of a use group classification of either R-1 or R-2 as approved and issued by the building official having jurisdiction.	3737.22(A), 3737.82, 3731.02(A) and (B), 3731.03(A) and (B), 3731.04	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.2.3.2 Each applicant for an SRO facility license shall specify on the application provided by the state fire marshal which rooms, by room number, are offered for occupancy for periods of 30 days or less.	3737.22(A), 3737.82, 3731.02(A), 3731.03(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.4. Each applicant for a residential hotel licensure category license shall provide documentation accompanying the license application as prescribed by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	118.7.2.4. Upon initial application or request of the state fire marshal such documentation shall include a valid certificate of occupancy demonstrating that each unit the licensee intends to use as a residential stay guestroom has been specifically approved as a dwelling unit or efficiency containing provisions for living, eating, cooking, sanitation and sleeping.	3737.22(A), 3737.82, 3731.01, 3731.02(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.4. In addition, the certificate of occupancy shall demonstrate that the hotel has all of the transient residential occupancy features of a transient hotel in accordance with the residential group R-1 use and occupancy classification adopted by the board of building standards pursuant to chapter 3781. of the Revised Code.	3737.22(A), 3737.82, 3731.01, 3731.02(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.4.1 Each applicant for a residential hotel facility license shall specify on the application provided by the state fire marshal which rooms, by room number, are offered for occupancy for periods exceeding 30 days.	3737.22(A), 3737.82, 3731.01, 3731.02(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	<i>118.7.2.5. Transfer and information changes. If the ownership of a hotel or SRO facility is transferred from one person to another person, upon the sale or disposition of the hotel or SRO facility or its removal to a new location, the new owner shall request a transfer of the license from the state fire marshal.</i>	3737.22(A), 3737.82, 3731.02(A), 3731.03(E)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.2.5. No license shall be transferred without the consent of the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(E)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.2.5. A completed application as prescribed by the state fire marshal for transfer shall be received by the state fire marshal no later than the earlier of the following:	3737.22(A), 3737.82, 3731.02(A), 3731.03(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.5. Exception: Transfers of a license occurring before the effective date of this code shall be submitted to the state fire marshal within ninety (90) days from the effective date of this code.	3737.22(A), 3737.82, 3731.02(A), 3731.03(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.5. Transfer fees shall be assessed in accordance with paragraph (R)(7)(c)(iv)(118.7.3.4) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(E), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.5. The transfer of a hotel license shall be contingent upon an inspection verifying compliance with Chapter 3731. of the Revised Code and rules adopted pursuant to section 3731.02 of the Revised Code.	3737.22(A), 3737.82, 3731.02(A), 3731.03(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.2.5.1 Pursuant to and in accordance with Chapter 119. of the Revised Code, the aggrieved party may request a hearing on the denial of transfer. Such hearing shall be in accordance with Chapter 119. of the Revised Code.	3737.22(A), 3737.82, 3731.02(A), 3731.03(E), 3731.06	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.3.1 License fees. The initial licensure fee for a new hotel or SRO facility shall be: [as specified in rule]	3737.22(A), 3737.82, 3731.02(A), 3731.03(E), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.2 Renewal, reactivation and re-application fees. On or before December first of each year a renewal application as prescribed by the state fire marshal shall be submitted with the appropriate renewal fee.	3737.22(A), 3737.82, 3731.02(A), 3731.03(D), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.2 The renewal fee for each hotel or SRO facility license shall be a minimum of one hundred ten dollars or one dollar per room, whichever is greater.	3737.22(A), 3737.82, 3731.02(A), 3731.03(D), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.2 Beginning with the renewal application process for the licensing year commencing January 1, 2019, renewal applications received after the last day of December of each year shall be made inactive and require reactivation.	3737.22(A), 3737.82, 3731.02(A), 3731.03(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.2 . The reactivation fee shall be three hundred dollars which shall be paid in addition to the renewal fee.	3737.22(A), 3737.82, 3731.02(A), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.2 . The reactivation fee shall be three hundred dollars which shall be paid in addition to the renewal fee.	3737.22(A), 3737.82, 3731.02(A), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.2 Beginning with the renewal application process for the licensing year commencing January 1, 2019, renewal applications received on or after March 1st shall be considered a new application in accordance with paragraph (R)(7)(118.7) of this rule and shall pay fees in accordance with paragraphs (R)(7)(c)(i)(118.7.3.1) to (R)(7)(c)(i)(c)(118.7.3.1) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(D), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.2 Beginning with the renewal application process for the licensing year commencing January 1, 2019, renewal applications received on or after March 1st shall be considered a new application in accordance with paragraph (R)(7)(118.7) of this rule and shall pay fees in accordance with paragraphs (R)(7)(c)(i)(118.7.3.1) to (R)(7)(c)(i)(c)(118.7.3.1) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(D), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.2 Hotel or SRO facilities that fail to timely renew their licenses on or before December 31st, shall cease to operate as a hotel or SRO facility until a valid license to operate is issued to the facility by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(D)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	118.7.3.3 Change of license information. Changes to license information shall require a twenty-five-dollar fee.	3737.22(A), 3737.82, 3731.02(A), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Require	118.7.3.3 Change of license information. Changes to license information shall require a twenty-five-dollar fee.	3737.22(A), 3737.82, 3731.02(A), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.4 Transfer of license. The fee for the transfer of a license shall be five hundred dollars and a completed application for transfer shall be accompanied by documentation evidencing the sale or transfer as required by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.4 Transfer of license. The fee for the transfer of a license shall be five hundred dollars and a completed application for transfer shall be accompanied by documentation evidencing the sale or transfer as required by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3737.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.4 Any transfer application that is not received in a timely manner as set forth in paragraph (R)(7)(b)(v)(118.7.2.5) of this rule shall be accompanied by a late fee of two hundred and fifty dollars in addition to the five-hundred-dollar transfer fee.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.5 Adding newly constructed portions. The fee shall be five hundred dollars for one to twenty guestroom additions, one thousand dollars for more than twenty guestroom additions, and fifteen hundred dollars for the addition of guestrooms and/or places of assembly such as restaurants, lounges, banquet facilities, mercantile or office space.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.6 Adding a previously licensed portion. The fee shall be two hundred dollars for one to twenty guestroom additions, four hundred dollars for more than twenty guestroom additions, and five hundred dollars for the addition of guestrooms and/or places of assembly such as restaurants, lounges, banquet facilities, mercantile or office space.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.7 Duplicate license. An application for a duplicate hotel or SRO license shall be made in writing to the state fire marshal and shall be accompanied by a ten-dollar fee.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.3.7 Duplicate license. An application for a duplicate hotel or SRO license shall be made in writing to the state fire marshal and shall be accompanied by a ten-dollar fee.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.4.1 If a licensee seeks to remove or transfer a portion of a currently licensed hotel or SRO facility, the licensee shall notify the state fire marshal in writing of such portions of the licensed hotel or SRO facility premises that are to be affected by the change to license information and pay the fee set forth in paragraph (R)(7)(c)(iii)(118.7.3.3) of this rule.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.4.2 To add a previously licensed portion of a licensed premises to a current hotel or SRO facility license, the licensee shall apply to the state fire marshal to change the license information.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.4.2 Such application shall include documentation as required by the state fire marshal including, but not limited to, a valid certificate of occupancy in accordance with paragraphs (R)(7)(b)(i)(118.7.2.1) to (R)(7)(b)(iv)(a)(118.7.2.4.1) of this rule.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.4.2 This application shall reflect the entire hotel or SRO facility.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.4.3 To add a newly constructed portion that would change the total number of guestrooms, sleeping rooms and/or dwelling units to an existing licensed hotel or SRO facility, the licensee shall apply to the state fire marshal to change the license information.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.4.3 Such application shall include documentation as requested by the state fire marshal including, but not limited to, a valid certificate of occupancy in accordance with paragraphs (R)(7)(b)(i)(118.7.2.1) to (R)(7)(b)(iv)(a)(118.7.2.4.1) of this rule.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.4.3 This application shall reflect the entire hotel or SRO facility.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	118.7.4.4 The state fire marshal shall not issue more than one hotel or SRO facility license for a hotel or SRO facility or portion thereof as licensed under this paragraph.	3737.22(A), 3737.82, 3731.02(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.5.1 The owner, proprietor, or agent in charge of any business or property or any business or property subject to licensure in accordance with Chapter 3731. of the Revised Code shall comply with the following: [as specified in rule]	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.5.1.1 No hotel or SRO facility shall be maintained, conducted, or advertised without a license.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.5.1.2 No person shall advertise, conduct, maintain or operate any structure as a hotel or as an SRO facility, or any business or property meeting the definition of a hotel or SRO facility, without a license.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)and (B)	No, general rulemaking authority	Yes, state law

1301:7-7-01	Shall	118.7.5.1.3 No person shall operate a structure subject to licensure in accordance with Chapter 3731. of the Revised Code that is not equipped in the manner and conditions as required under Chapter 3731. of the Revised Code, this paragraph or the state fire code adopted pursuant to section 3737.82 of the Revised Code.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.5.1.4 No person shall advertise, conduct, maintain, or operate a licensed hotel or licensed SRO facility in a manner that is inconsistent with the requirements of Chapter 3731. of the Revised Code, this paragraph or the state fire code adopted pursuant to section 3737.82 of the Revised Code.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.5.1.5 No person shall fail or refuse to comply with sections 3731.01 to 3731.21 of the Revised Code, this paragraph or the state fire code adopted pursuant to section 3737.82 of the Revised Code.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.7.5.3 Notice of violation. Whenever, upon inspection, it is found that a business or property is not being conducted, or is not equipped in the manner and condition required by Chapter 3731. of the Revised Code, this paragraph, or the state fire code adopted pursuant to section 3737.82 of the Revised Code, the state fire marshal shall notify the owner, proprietor, or agent in charge of such business, or the owner or agent of the building so occupied, of such violations and of any changes or alterations as may be necessary to effect complete compliance with sections 3731.01 to 3731.21 of the Revised Code, this paragraph or the state fire code adopted pursuant to section 3737.82 of the Revised Code.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)and (B), 3731.05(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.5.4 Compliance. The owner, proprietor, or agent in charge of any business or property receiving a notice of violation in accordance with paragraph (R)(7)(e)(iii)(118.7.5.3) of this rule shall bring the business or property into compliance with the requirements of Chapter 3731. of the Revised Code, this paragraph or the state fire code adopted pursuant to section 3737.82 of the Revised Code within a reasonable time set by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)and (B), 3731.05(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.5.5.1 Nothing in this paragraph shall be construed to limit the authority of the state fire marshal to take any action permitted under sections 3737.41 to 3737.51 of the Revised Code against a hotel or SRO facility in addition to or instead of taking action against the hotel or SRO facility, or the license issued to the hotel or SRO facility under Chapter 3731. of the Revised Code or this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A)and (B), 3731.05(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.5.6 For any denial, revocation or suspension of licensure actions taken by the state fire marshal, such actions shall be taken in accordance with applicable law, including Chapter 119. of the Revised Code and sections 3731.05 and 3731.06 of the Revised Code.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.05(A), 3731.06	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.7.6.1 Each applicant for a hotel or SRO facility license shall specify on the application provided by the state fire marshal which rooms are offered for occupancy for a period of thirty days or less and which rooms are offered for occupancy for a period of 270 days or less.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.04(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	118.8.3 Qualifications for "Ohio Safe Stay Hotel" designation. In order to be designated as an "Ohio Safe Stay Hotel" by the state fire marshal, a hotel must meet all of the following:	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	118.8.3 (i) The hotel must have been issued a valid license to operate a hotel by the state fire marshal for the applicable calendar year; and	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Must	118.8.3 (ii) The state fire marshal must receive from a hotel a hotel license renewal application to operate a hotel in a timely manner and the application shall contain true and accurate information; and	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.3 (ii) The state fire marshal must receive from a hotel a hotel license renewal application to operate a hotel in a timely manner and the application shall contain true and accurate information; and	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.3 (ii)(a) Notice of any change or extension of the deadline for timely submission of a hotel license renewal application shall be given as set forth in paragraph (R)(8)(i)(118.8.9) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	118.8.3 (iii) The hotel must not be in violation of any provision of this code, paragraph (R)(118) of this rule, or of the sanitary compliance standards set forth in Chapter 3731. of the Revised Code or any rules adopted pursuant thereto; and	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.8.3 (iv) No finding of nuisance shall have been issued by a court of competent jurisdiction against the hotel, hotel owner, operator, or responsible person, or against the property upon which the hotel is located; and	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	118.8.3 (v) No finding of or conviction for lewdness, assignation or prostitution, or an offense which constitutes a felony violation of Chapter 2925. or Chapter 3719. of the Revised Code shall have been entered by a court of competent jurisdiction against any hotel owner, operator, or responsible person, wherein the offense or conviction relate to conduct that occurred at any structure licensed under, subject to the licensure requirements of, or previously licensed under Chapter 3731. of the Revised Code; and	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.3 (vi) No finding of or conviction for lewdness, assignation or prostitution, or an offense which constitutes a felony violation of Chapter 2925. or Chapter 3719. of the Revised Code shall have been entered by a court of competent jurisdiction against any person wherein the conduct that is the basis for such finding or conviction was engaged in on the premises of the hotel seeking a designation under this section and it is demonstrated that the hotel owner, operator or responsible person knew or should have known of such conduct prior to its occurrence.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.5 Documentation. Each qualifying "Ohio Safe Stay Hotel" shall receive documentation from the state fire marshal verifying that the hotel is an "Ohio Safe Stay Hotel."	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.5 Such documented designation shall be in a format that is capable of display by the hotel and that is uniform and readily identifiable to the public.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.6 Publication. The state fire marshal shall create and maintain a current registry of all licensed hotels in the state of Ohio that have been designated as an "Ohio Safe Stay Hotel."	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.8.6 The list shall be readily available to the public and shall be published in electronic format on the division's website.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	118.8.6 The list shall be readily available to the public and shall be published in electronic format on the division's website.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.7 Use of qualifying "Ohio Safe Stay Hotel" designation. (i) No person or entity shall use the "Ohio Safe Stay Hotel" logo, decal, or designation unless and until such logo, decal, or designation is issued to it by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.7 Use of qualifying "Ohio Safe Stay Hotel" designation. (i) Any hotel that has previously been issued an "Ohio Safe Stay Hotel" logo, decal, or designation shall immediately cease the use of the logo, decal, or designation if such logo, decal or designation has been revoked or not renewed by the state fire marshal.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.7 Use of qualifying "Ohio Safe Stay Hotel" designation. (i) No person or entity shall misuse the logo, decal, or designation or misrepresent to the public that a hotel is or has been designated by the state fire marshal as an "Ohio Safe Stay Hotel."	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.8 Revocation or non-renewal of designation. If a hotel's designation is revoked or not renewed by the state fire marshal, the logo, decal, or designation shall be immediately removed from the hotel facility and from all of its literature and marketing and advertising campaigns in any format or medium, the hotel's designation as an "Ohio Safe Stay Hotel" in the registry of hotels shall be removed, and the hotel shall immediately cease all use and/or reproduction of the logo, decal or designation in any manner.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.8 Revocation or non-renewal of designation. If a hotel's designation is revoked or not renewed by the state fire marshal, the logo, decal, or designation shall be immediately removed from the hotel facility and from all of its literature and marketing and advertising campaigns in any format or medium, the hotel's designation as an "Ohio Safe Stay Hotel" in the registry of hotels shall be removed, and the hotel shall immediately cease all use and/or reproduction of the logo, decal or designation in any manner.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.8 Revocation or non-renewal of designation. If a hotel's designation is revoked or not renewed by the state fire marshal, the logo, decal, or designation shall be immediately removed from the hotel facility and from all of its literature and marketing and advertising campaigns in any format or medium, the hotel's designation as an "Ohio Safe Stay Hotel" in the registry of hotels shall be removed, and the hotel shall immediately cease all use and/or reproduction of the logo, decal or designation in any manner.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.9 Notification. The state fire marshal shall publish on its website a written policy describing how affected persons or entities shall be notified of any revocations or non-renewals of any designations under paragraph (R)(8)(h)(118.8.8) of this rule and any extensions of application deadlines described in paragraph (R)(8)(c)(ii)(a)(118.8.3) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	118.8.9 Notification. The state fire marshal shall publish on its website a written policy describing how affected persons or entities shall be notified of any revocations or non-renewals of any designations under paragraph (R)(8)(h)(118.8.8) of this rule and any extensions of application deadlines described in paragraph (R)(8)(c)(ii)(a)(118.8.3) of this rule.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	118.8.9 A facility having its designation revoked or not renewed or facilities affected by a deadline extension shall be provided notice of such actions per the policy published on the division's website.	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	<i>118.8.10 Effective date. The provisions of this paragraph shall become effective September 1, 2015.</i>	3737.22(A), 3737.82, 3731.02(A), 3731.03(A), 3731.02(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	119.2 Qualifications. [Revolving Loan Program] (b) In order for a fire department operated by a small government to receive a loan under this rule, the fire department must be reporting fires to the state fire marshal as required by section 3737.24 of the Revised Code and this rule.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.3 Applications filing. (a) Applications for a loan shall be made only on forms provided by the state fire marshal.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.4 Applications-content. In its applications the qualifying small government shall: [provide information as specified in rule]	3737.17(D)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	119.5 Requirements for buildings constructed or equipment purchased. (a) All building constructions, additions and alterations completed with funds provided by a loan shall meet all minimum requirements of division-level 4101:1, 4101:2 and 4101:3 of the Administrative Code.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.5 Requirements for buildings constructed or equipment purchased. (b) Any fire apparatus purchased with funds from a loan shall meet the requirements of Chapter 4121:1-21 of the Administrative Code.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.5 Requirements for buildings constructed or equipment purchased. (c) The fee title to any real property purchased or on which a structure is constructed in any part with a loan under this rule shall list the "State of Ohio, Department of Commerce, Division of State Fire Marshal" as the mortgage holder until such time as the loan obligation is satisfied.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.5 Requirements for buildings constructed or equipment purchased. (d) The title to any vehicle purchased in part with a loan under this rule shall list the "State of Ohio, Department of Commerce, Division of State Fire Marshal" as the lien holder until such time as the loan obligation is satisfied.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.5 Requirements for buildings constructed or equipment purchased. (e) Any fire apparatus or vehicle purchased in part under this rule shall have a repayment period not to exceed ten years.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.7 Award of loans. The awarding of all loans shall be at the sole discretion of the state fire marshal.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.7 (a) Upon determining which small governments shall receive a loan, the state fire marshal shall notify the qualifying small government in writing of his intent to grant the loan and of the terms and conditions of the loan.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.7 (a) Upon determining which small governments shall receive a loan, the state fire marshal shall notify the qualifying small government in writing of his intent to grant the loan and of the terms and conditions of the loan.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	119.7 (b) Promptly after receiving notification that the state fire marshal intends to grant a loan to the qualifying small government, the qualifying small government must adopt a resolution or ordinance which shall:	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.7 (b) Promptly after receiving notification that the state fire marshal intends to grant a loan to the qualifying small government, the qualifying small government must adopt a resolution or ordinance which shall: [as specified in rule]	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.7 (c) Within forty-five days of receipt of the notice of the state fire marshal's intent to award the loan the qualifying small government shall forward a copy of the resolution or ordinance to the state fire marshal.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.7 (d) Upon receipt of the resolution or ordinance the state fire marshal shall establish a line of credit from the loan fund in the name of the qualifying small government.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.7 (e) Within one hundred twenty days of the date the notice of intent to award the loan was received, the qualifying small government shall provide to the state fire marshal a properly executed contract or purchase agreement for the construction, addition or alteration of the building or purchase of the vehicle or equipment described in the original loan application	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	119.8 Repayment. (a) A repayment or amortization schedule shall be established as part of the loan agreement.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	119.8 Repayment. (a) In establishing the repayment schedule, the state fire marshal shall consider the ability of the small government to repay the loan and the need to maintain a sufficient balance in the loan fund to insure its continued operation.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	119.8 Repayment. (b) The repayment or amortization schedule shall not extend beyond twenty years.	3737.17(D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	120.4 General terms and conditions. (a) Funds provided by a grant under this rule shall only be used for purposes for which the eligible recipient may lawfully expend public funds and in accordance with the terms of the grant award and this code.	3737.22(A), 3737.82, rules authorized in uncodified budget bill language	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	120.4 General terms and conditions. (c) For each fiscal year, the state fire marshal shall, as the state fire marshal determines is appropriate, apportion the available grant funds for expenditure for any of the particular purposes allowed under this paragraph.	3737.22(A), 3737.82, rules authorized in uncodified budget bill language	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	120.4 General terms and conditions. (d) The awarding of all grants shall be at the sole discretion of the state fire marshal.	3737.22(A), 3737.82, rules authorized in uncodified budget bill language	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall not	120.4 General terms and conditions. (j) The state fire marshal shall not award a grant under this paragraph unless the eligible recipient is in compliance with the provisions of this rule and other applicable laws, rules and regulations.	3737.22(A), 3737.82, rules authorized in uncodified budget bill language	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	120.5 Application. (a) All applications for any grants awarded under this rule shall be made on a form prescribed by the state fire marshal and include all of the information and documents required by the state	3737.22(A), 3737.82, rules authorized in uncodified budget bill language	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	120.5 Application. (a) Any application that fails to provide the requested information shall be deemed incomplete and not considered by the state fire marshal for an award of a grant under this rule.	3737.22(A), 3737.82, rules authorized in uncodified budget bill language	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	120.5 Application. (b) Applicants for a grant shall certify on the application form that the applicant is eligible to receive a grant under this rule.	3737.22(A), 3737.82, rules authorized in uncodified budget bill language	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	120.5 Application. (b) The form shall be signed by the chief of the fire department or chief executive official(s) of the local government entity applying for the grant.	3737.22(A), 3737.82, rules authorized in uncodified budget bill language	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	120.6.1 In determining which eligible recipients will receive awards, the state fire marshal shall consider: [as specified in rule]	3737.22(A), 3737.82, rules authorized in uncodified budget bill language	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	120.6.1.2 Training grants. (b) The state fire marshal shall, for each fiscal year, set forth the specific trainings and classes for which grants can be awarded under this paragraph, the maximum grant amounts to be awarded for such classes and types of documentation to be submitted to verify eligibility for reimbursement.	3737.22(A), 3737.82, rules authorized in uncodified budget bill language	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.1.1 Minimum standards for fire prevention and safety. Pursuant to sections 3737.83(E) and 5104.05 of the Revised Code, this code shall constitute the minimum standards for fire prevention and fire safety in child day-care centers and in Type A family day-care homes.	3737.22(A), 3737.82, 3737.83(E), 5104.05	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.1.2 Annual Inspection. Pursuant to section 5104.05 of the Revised Code, the state fire marshal or the fire chief or fire prevention officer of the municipal corporation or township in which the child day-care center or the type A family day-care home is located shall inspect the type A home prior to initial occupancy as a Type A day-care home and annually thereafter to determine if the type A home is in compliance with rules promulgated by the fire marshal pursuant to section 3737.83 of the Revised Code regarding fire prevention and fire safety in a type A home.	3737.22(A), 3737.82, 3737.83(E), 5104.05	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.1.2.1 Inspection authority. In municipal corporations and in townships outside municipal corporations where there is a fire prevention official, the inspections shall be made by the fire chief or the fire prevention official under the supervision of and according to the standards established by the state fire marshal.	3737.22(A), 3737.82, 3737.83(E), 5104.05	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.1.2.1 Inspection authority. In townships outside municipal corporations where there is no fire prevention official, inspections shall be made by the employees of the state fire marshal.	3737.22(A), 3737.82, 3737.83(E), 5104.05	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.1.2.2 Conflicting interpretations of fire safety statutes or rules. Pursuant to section 5104.051 of the Revised Code, the state fire marshal shall enforce all statutes and rules pertaining to fire safety and fire prevention in child day-care centers and type A family day-care homes.	3737.22(A), 3737.82, 3737.83(E), 5104.051(C)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.1.2.2 Conflicting interpretations of fire safety statutes or rules. In the event of a dispute between the state fire marshal and any other responsible officer under sections 5104.05 and 5104.051 of the Revised Code with respect to the interpretation or application of a specific fire safety statute or rule, the interpretation of the state fire marshal shall prevail.	3737.22(A), 3737.82, 3737.83(E), 5104.051(C)	No, general rulemaking authority	Yes, state law

1301:7-7-01	Shall	121.1.3 Applicability of this code. All operational and maintenance provisions of this code shall apply to all Type A family day-care homes.	3737.22(A), 3737.82, 3737.83(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.1.3.1 Compliance with this code. Prior to and during the occupancy of a structure as a Type A family day-care home, such home shall comply with the Type A checklist listed in Appendix A to this rule.	3737.22(A), 3737.82, 3737.83(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.1.3.1 Compliance with this code. All Ohio Fire Code sections listed or incorporated into that checklist shall apply to all Type A family day-care homes and such sections may be used as the basis for all fire code enforcement actions permitted under this code.	3737.22(A), 3737.82, 3737.83(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.1.3.1 Compliance with this code. It shall be a violation of this code to occupy or permit occupancy of a Type A daycare in violation of this paragraph, the Type A checklist and its incorporated fire code provisions or the operational and maintenance provisions of this code.	3737.22(A), 3737.82, 3737.83(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.2.1 Inspection. [Type B family daycares]. The fire marshal, upon request of a provider of child care in a type B home that is not licensed by the director of the department of job and family services, as a precondition of approval by the state board of education under section 3313.813 of the Revised Code for receipt of United States department of agriculture child and adult care food program funds established under the "National School Lunch Act," 60 Stat. 230 (1946), 42 U.S.C. 1751, as amended, shall inspect the type B home to determine compliance with rules adopted under section 5104.052 of the Revised Code regarding	3737.22(A), 3737.82, 3737.22(F) and (G)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.2.1 Inspection. [Type B family daycares]. Prior to and during the occupancy of a structure as a Type B home subject to this paragraph, the home shall be inspected by the state fire marshal, and annually thereafter, to determine compliance with this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.2.1.1 Inspection authority. In municipal corporations and in townships where there is a certified fire safety inspector, the inspections shall be made by that inspector under the supervision of the fire marshal, according to rules adopted under section 5104.052 of the Revised Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.2.1.1 Inspection authority. In townships outside municipal corporations where there is no certified fire safety inspector, inspections shall be made by the fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.2.2 Applicability of this code. All operational and maintenance provisions of this code shall apply to all Type B family day-care homes.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.2.2.1 Compliance with this code. Prior to and during the occupancy of a structure as a Type B family day-care home, such home shall comply with the Type B checklist listed in Appendix B to this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.2.2.1 Compliance with this code. All Ohio Fire Code sections listed or incorporated into that checklist shall apply to all Type B family day-care homes and such sections may be used as the basis for all fire code enforcement actions permitted under this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.2.2.1 Compliance with this code. It shall be violation of this code to occupy or permit occupancy of a Type B daycare in violation of this paragraph, the Type B checklist and its incorporated fire code provisions or the operational and maintenance provisions of this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.3.1 Minimum standards for fire prevention and safety. Pursuant to section 3737.83(F) of the Revised Code, the state fire marshal shall establish minimum standards for fire prevention and safety in a residential facility licensed under section 5119.34 of the Revised Code that provides accommodations, supervision, and personal care services for three to sixteen unrelated adults.	3737.22(A), 3737.82, 3737.83(F)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.3.1 Minimum standards for fire prevention and safety. The fire marshal shall adopt such rules in consultation with the director of the department of mental health and addiction services and interested parties designated by the director of the department of mental health and addiction services.	3737.22(A), 3737.82, 3737.83(F)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.3.2 Applicability. This code shall apply to residential facilities.	3737.22(A), 3737.82, 3737.83(F)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.4.1 Enforcement and resolution of conflict. Pursuant to section 3721.032 of the Revised Code, the state fire marshal shall enforce all statutes and rules pertaining to fire safety in homes and shall adopt rules pertaining to fire safety in homes as the marshal determines necessary.	3737.22(A), 3737.82, 3721.032	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.1 Enforcement and resolution of conflict. Pursuant to section 3721.032 of the Revised Code, the state fire marshal shall enforce all statutes and rules pertaining to fire safety in homes and shall adopt rules pertaining to fire safety in homes as the marshal determines necessary.	3737.22(A), 3737.82, 3721.032	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.1 Enforcement and resolution of conflict. The rules adopted by the marshal shall be in addition to those fire safety rules that the board of building standards and the director of health are empowered to adopt.	3737.22(A), 3737.82, 3721.032	No, general rulemaking authority	Yes, state law

1301:7-7-01	Shall	121.4.1 Enforcement and resolution of conflict. In the event of a dispute between the marshal and another officer having responsibilities under sections 3721.01 to 3721.09 of the Revised Code with respect to the interpretation or application of a specific fire safety statute or rule, the interpretation of the marshal shall prevail.	3737.22(A), 3737.82, 3721.032	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.1.1 Homes. As used in paragraph (U)(4)(121.4) of this rule, "Home" shall have the same meaning and application as described in Chapter 3721. of the Revised Code, including section 3721.01 (A) of the Revised Code.	3737.22(A), 3737.82, 3721.032	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.2 Inspection. Pursuant to section 3721.02 of the Revised Code, the state fire marshal or a township, municipal, or other legally constituted fire department approved by the marshal shall also inspect a home prior to issuance of a license, at least once every fifteen months thereafter, and at any other time requested by	3737.22(A), 3737.82, 3721.032	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.2.1 Residential care facilities. Pursuant to section 3721.07 of the Revised Code, every person desiring to operate a home and the superintendent or administrator of each county home or district home for which a license as a residential care facility is sought shall apply for a license to the director of health.	3737.22(A), 3737.82, 3721.032, 3721.02	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.2.1 Residential care facilities. In the approval of a home such agencies shall apply standards prescribed by the board of building standards, and by the state fire marshal, and by section 3721.071 of the Revised Code.	3737.22(A), 3737.82, 3721.032, 3721.07(D)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Must	121.4.3 Automatic fire extinguishing and fire alarm systems. Pursuant to section 3721.071 of the Revised Code, homes must be equipped with both automatic fire extinguishing and fire alarm systems.	3737.22(A), 3737.82, 3721.032, 3721.071	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.3 Automatic fire extinguishing and fire alarm systems. Such systems shall conform to standards set forth in the regulations of the board of building standards and the state fire marshal.	3737.22(A), 3737.82, 3721.032, 3721.071	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.3.1 Time for compliance. The time for compliance with the requirements imposed by this section shall be January 1, 1975, except that the date for compliance with the automatic fire extinguishing requirements is extended to January 1, 1976, provided the buildings of the home are otherwise in compliance with fire safety laws and regulations and:	3737.22(A), 3737.82, 3721.032, 3721.071	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.3.1 Time for compliance. (a) The home within thirty days after August 4, 1975, files a written plan with the state fire marshal's office that: (i) Outlines the interim safety procedures which shall be carried out to reduce the possibility of a fire;	3737.22(A), 3737.82, 3721.032, 3721.071(A)	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.3.1 Time for compliance. (b) It is the express intent of the general assembly that the department of medicaid shall terminate the medicaid provider agreements of those homes that do not comply with the requirements of this section for the submission of a written fire safety plan and the deadline for entering into contracts for the installation of systems.	3737.22(A), 3737.82, 3721.032, 3721.071	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	121.4.4 Applicability of this code. This code shall apply to all homes.	3737.22(A), 3737.82, 3721.032	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.5.1 Applicability of this code. [Manufactured homes] The change of occupancy and all operational and maintenance provisions of this code shall apply to manufactured homes.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.5.2 Serious hazard. No manufactured home that constitutes a serious hazard to occupant safety shall be occupied.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.6 Fire Department Registry. The state fire marshal shall develop and maintain a registry of all properly constituted fire departments in this state.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	121.6 Fire Department Registry. This registry shall not be deemed to be a state fire marshal approval, authorization or assertion, in any manner, of control over such departments.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.6 Fire Department Registry. Each fire department in this state shall provide the state fire marshal with and maintain the following fire department information: full name of the fire department, full name of the chief of the fire department, the postal address, telephone number, e-mail address and a general statement of jurisdictional boundaries for the fire department and any other information the state fire marshal determines must be included in the registry.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	121.6 Fire Department Registry. Each fire department in this state shall provide the state fire marshal with and maintain the following fire department information: full name of the fire department, full name of the chief of the fire department, the postal address, telephone number, e-mail address and a general statement of jurisdictional boundaries for the fire department and any other information the state fire marshal determines must be included in the registry.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	121.6 Fire Department Registry. Each fire department shall also provide a single, primary point of contact for the registry.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	121.6 Fire Department Registry. All fire departments subject to this section shall notify the state fire marshal of and provide updated registry information to the state fire marshal within thirty days after the date of any changes to that fire department's registry information.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Require	122.1.2 Except as provided in paragraph (V)(1)(a)(122.1.1) of this rule, those actions by the state fire marshal that afford the right to a hearing pursuant to state fire marshal authority provided in Chapter 119. of the Revised Code include the proposal of the state fire marshal to do the following: (iii) Require a person to obtain a license when the person claims that the law does not impose such a requirement.	3737.22(A), 3737.82	No, general rulemaking authority	Yes, state law
1301:7-7-01	Require	122.1.3 Ministerial acts. Ministerial acts by the state fire marshal to suspend or terminate the processing of an initial or renewal application submitted in accordance with Chapter 3731., 3737. or 3743. of the Revised Code do not require the application of the section 119.03 of the Revised Code based hearing process to such acts.	3737.22(A), 3737.82	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	122.3.1 Written notice of intended action. Whenever the state fire marshal proposes to take an action that the Ohio general assembly has expressly made subject to the administrative adjudication procedure outlined in Chapter 119. of the Revised Code, the state fire marshal shall give notice of the intended action to the affected party informing the affected party of the affected party's right to a hearing.	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	122.3.1 Written notice of intended action. Notice shall be given by registered mail, return receipt requested, and shall, at a minimum, include all of the following: [as specified in rule]	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	122.3.1 Written notice of intended action. Notice shall be given by registered mail, return receipt requested, and shall, at a minimum, include all of the following: [as specified in rule]	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	122.3.2 The state fire marshal shall also mail a copy of the notice to the affected party's attorney or other representative of record.	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Must	122.3.2 To qualify as an attorney or representative of record, the affected party or the attorney or representative must notify the state fire marshal, in writing, that the attorney or representative is to be designated the attorney or representative of record.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	122.3.2 The notification must include the address where the state fire marshal should mail the notice to the attorney or representative of record.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	<i>122.3.3 When any notice sent by registered mail pursuant to this rule is returned because the affected party fails to claim the notice, the state fire marshal shall send the notice by ordinary mail to the affected party at the affected party's last known address and shall obtain a certificate of mailing.</i>	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	122.3.3 When any notice sent by registered mail pursuant to this rule is returned because the affected party fails to claim the notice, the state fire marshal shall send the notice by ordinary mail to the affected party at the affected party's last known address and shall obtain a certificate of mailing.	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	<i>122.3.4 If any notice sent by registered or ordinary mail is returned for failure of delivery, the state fire marshal either shall make personal delivery of the notice by an employee or agent of the state fire marshal or shall cause a summary of the substantive provisions of the notice to be published once a week for three consecutive weeks in a newspaper of general circulation in the county where the last known address of the affected party is located.</i>	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law
	Shall	<i>122.3.4 If any notice sent by registered or ordinary mail is returned for failure of delivery, the state fire marshal either shall make personal delivery of the notice by an employee or agent of the state fire marshal or shall cause a summary of the substantive provisions of the notice to be published once a week for three consecutive weeks in a newspaper of general circulation in the county where the last known address of the affected party is located.</i>	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Shall	122.3.4 When notice is given by publication, a proof of publication affidavit, with the first publication of the notice set forth in the affidavit, shall be mailed by ordinary mail to the affected party at the affected party's last known address and the notice shall be deemed received as of the date of the last publication.	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law

1301:7-7-01	Shall	122.3.4 When notice is given by publication, a proof of publication affidavit, with the first publication of the notice set forth in the affidavit, shall be mailed by ordinary mail to the affected party at the affected party's last known address and the notice shall be deemed received as of the date of the last publication.	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Must	122.4.1 Any request for a hearing made as the result of notice issued pursuant to (V)(3)(122.3) of this rule must be made in writing and mailed or delivered to the state fire marshal in the manner indicated in the notice issued pursuant to (V)(3)(122.3) of this rule within thirty calendar days of the following, as applicable: [as specified in rule]	3737.22(A), 3737.82, 119.07	No, general rulemaking authority	Yes, state law
1301:7-7-01	Must	122.4.5 All requests for hearings must clearly identify both the affected individual involved and the proposed action that is being contested.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	122.6.3 Rules of practice in hearings conducted under this rule. In all hearings conducted under rule 1301:7-7 of the Administrative Code where a stenographic record is taken and where the stenographic record may be the basis of an appeal to a court of law, any person not appearing pro se and any corporation, partnership, association, or other entity must be represented by an attorney admitted to the practice of law in this state.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	122.6.3 Rules of practice in hearings conducted under this rule. When the appellant is represented by more than one attorney, one attorney must be designated by the appellant as "trial counsel" and that attorney is deemed the appellant's attorney of record and is primarily responsible for the appellant's case at the hearing.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	122.6.4 Authority of hearing examiners appointed by the department. Any person assigned to be a hearing examiner must be admitted to the practice of law in the state of Ohio and have such other qualifications as the director deems necessary.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Require	122.6.4 Authority of hearing examiners appointed by the department. (l) Upon the motion of the hearing examiner, the state fire marshal, or the appellant, the hearing examiner may require the submission of briefs and memoranda at any time during the proceeding.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	122.6.4 Authority of hearing examiners appointed by the department. (l) All briefs, memoranda, motions, or other pleadings are subject to the following requirements: (a) All briefs, memoranda, motions or other pleadings must be filed with the state fire marshal within three days after service.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	122.6.4 Authority of hearing examiners appointed by the department. (l) All briefs, memoranda, motions, or other pleadings are subject to the following requirements: (c) All briefs, memoranda, motions, or other pleadings and papers must be on eight-and-one-half-inch by eleven-inch paper and double-spaced.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall not	122.6.4 Authority of hearing examiners appointed by the department. Exception: A hearing officer shall not have the power to consider any motion for a change in venue.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Must	122.7.2 The written request along with the completed subpoena must be received by the state fire marshal no later than twenty-one business days before the commencement of the hearing or deposition, unless otherwise ordered for good cause shown.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.1 Scope and applicability. The reporting of a shale incident to the state of Ohio shall be in accordance with this rule.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.1 Scope and applicability. Nothing in this rule shall be construed to supplant a responsible person's obligations to call 9-1-1 in an emergency situation.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.2 Definitions. The following words and terms shall, for the purposes of this rule, have the meanings shown herein.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.1 All shale incidents shall be reported by the responsible person to the state of Ohio by calling 1-844-OHCALL1 (1-844-642-2551) in accordance with this paragraph.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.2 Fire incidents at a shale oil processing premise. The reporting of a fire incident at a shale oil processing premise shall occur within thirty minutes after the responsible person or the responsible person's representative becomes aware of the fire incident at a shale oil processing premise.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.2 Fire incidents at a shale oil processing premise. If one of the above exceptions occurs, the reporting of the fire incident at a shale oil processing premise shall be made by the responsible person as soon as it is practicable and can be done safely.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-01	Shall	124.3.2.1 If a contractor performs services on behalf of a responsible person, the contractor shall notify the responsible person or its representative immediately, but not later than thirty minutes, after the contractor becomes aware of any fire incident at a shale oil processing premise while performing services at the responsible person's shale oil processing premise unless notification within that time is impracticable under the circumstances as described in the exceptions to this paragraph as listed in paragraph (X)(3)(b)(124.3.2) of this rule.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.2.1 In that case, the contractor shall notify the responsible person or its representative as soon as it is practicable and can be done safely.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.2.1 If a contractor performs services on behalf of a responsible person and neither the responsible person nor its representative is present at the shale oil processing premise and the contractor attempts, but is unable, to contact the responsible person or its representative, the contractor shall notify the state of Ohio as specified in paragraph (X)(3)(124.3) of this rule.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.3 Hazardous materials incidents at a shale oil processing premise. The reporting of a hazardous materials incident at a shale oil processing premise shall occur within two hours after the responsible person becomes aware of the hazardous materials incident at a shale oil processing premise.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.3 If one of the above exceptions occurs, the reporting of the hazardous materials incident at a shale oil processing premise shall be made as soon as it is practicable and can be done safely.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.3.1 If a contractor performs services on behalf of a responsible person, the contractor shall notify the responsible person or its representative immediately, but not later than thirty minutes, after the contractor becomes aware of any hazardous material incident at a shale oil processing premise while performing services at the responsible person's shale oil processing premise unless notification within that time is impracticable under the circumstances as described in the exceptions to paragraph (X)(3)(c)(124.3.3) of this rule.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.3.1 In that case, the contractor shall notify the responsible person or its representative as soon as it is practicable and can be done safely.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.3.1 If a contractor performs services on behalf of a responsible person and neither the responsible person or its representative is present at the shale oil processing premise and the contractor attempts but is unable to contact the responsible person or its representative, the contractor shall notify the state of Ohio as specified in paragraph (X)(3)(124.3) of this rule.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.4 <i>A person required to notify the state of a shale incident specified in this rule shall provide, at the time of notification, all of the following information that is known or can be reasonably estimated: [as specified in rule]</i>	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Require	124.3.5 The state fire marshal may require the responsible person to provide additional information as required by the state fire marshal after the shale incident which is necessary to obtain compliance with paragraph (X)(3)(d)(124.3.4) of this rule.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-01	Shall	124.3.6 Compliance with this rule does not eliminate the requirement that a responsible person or other person as referenced in this rule comply with any other applicable state or federal laws or rules, including compliance with the hazardous materials release provisions specified in paragraph (C)(3)(5003.3) of rule 1301:7-7-50 of the Administrative Code, except that the notification provisions of paragraph (C)(3)(a)(5003.3.1) of rule 1301:7-7-50 of the Administrative Code shall be satisfied by calling the "One Call" hotline as set forth above.	3737.22(A), 3737.82, 3737.832(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Change of occupancy." A change of occupancy shall include any change of occupancy classification, any change from one group to another group within an occupancy classification, any change in use within a group for a specific occupancy classification or any change that causes an increase in risk.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	May not	"Custodial care." Persons who receive custodial care may or may not require assistance with evacuation depending on the occupancy and/or the "condition" of the occupancy.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Require	"Custodial care." Persons who receive custodial care may or may not require assistance with evacuation depending on the occupancy and/or the "condition" of the occupancy.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Extended stay hotel." The licensure category shall also include a hotel that contains both transient and extended stay rooms where the use of all such rooms is identified and approved in accordance with rule 1301:7-7-01 of the Administrative Code.	3737.22(A), 3737.82, 3731.04(B)	No, general rulemaking authority	Yes, state law
1301:7-7-02	Shall not	"Fire lane." A fire lane shall not be interpreted to mean a residential and/or public street.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-02	Shall	"1.4S Fireworks." Such fireworks shall be classified as Division 1.4S (UN0337) by DOTn and marked and labeled in conformance with Title 49, Code of Federal Regulations as listed in rule 1301:7-7-80 of the Administrative Code or special effects fireworks as expressed using the designation Division 1.4S (UN0432) in Title 49, Code of Federal Regulations as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	Yes, federal law
1301:7-7-02	Shall	"Marine motor fuel-dispensing facility." That portion of property where flammable or combustible liquids or gases used as motor fuel for watercraft are stored and dispensed from fixed equipment on shore, piers, wharves, floats or barges into the fuel tanks of watercraft or approved containers and shall include all other facilities used in connection therewith.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Educational Group E" "Five or fewer children in a dwelling unit." The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than five but not more than one hundred children are cared for are located on the level of exit discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as a Group E occupancy.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Educational Group E" "Five or fewer children in a dwelling unit." A child day care center, other than a type A family day care home, for six or more children with not more than five children two and one-half years of age or less, shall be classified as Group E occupancy.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Factory Industrial F-1 Moderate-Hazard Occupancy." Factory industrial uses that are not classified as Factory Industrial Group F-2 Low Hazard shall be classified as F-1 Moderate Hazard and shall include, but not be limited to, the following: [examples as in rule]	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Factory Industrial F-1 Moderate-Hazard Occupancy." Factory industrial uses that are not classified as Factory Industrial Group F-2 Low Hazard shall be classified as F-1 Moderate Hazard and shall include, but not be limited to, the following: [examples as in rule]	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"High-hazard Group H-3." Buildings and structures containing materials that readily support combustion or that pose a physical hazard shall be classified as Group H-3.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"High-hazard Group H-3." Such materials shall include, but not be limited to, the following: Class I, II or IIIA flammable or combustible liquids that are used or stored in normally closed containers or systems pressurized at 15 pounds per square inch gauge (103.4 kPa) or less [etc. as listed in rule]	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Five or fewer persons receiving medical care." A facility with five or fewer persons receiving medical care shall be classified as Group R-3 or shall comply with the residential code as listed in rule 1301:7-7-80 of the Administrative Code provided an automatic sprinkler system is installed throughout the fire area in accordance with paragraphs (C)(3)(a)(i)(903.3.1.1), (C)(3)(a)(ii)(903.3.1.2), (C)(3)(a)(iii)(903.3.1.3) of rule 1301:7-7-09 of the Administrative Code or Section 2904 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Five or fewer persons receiving medical care." A facility with five or fewer persons receiving medical care shall be classified as Group R-3 or shall comply with the residential code as listed in rule 1301:7-7-80 of the Administrative Code provided an automatic sprinkler system is installed throughout the fire area in accordance with paragraphs (C)(3)(a)(i)(903.3.1.1), (C)(3)(a)(ii)(903.3.1.2), (C)(3)(a)(iii)(903.3.1.3) of rule 1301:7-7-09 of the Administrative Code or Section 2904 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Institutional Group I-4, day care facilities." Institutional Group I-4 shall include buildings and structures occupied by more than five persons of any age who receive personal or custodial care for fewer than 24 hours per day by persons other than parents or guardians, relatives by blood, marriage, or adoption, and in a place other than the home of the person cared for.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Institutional Group I-4, day care facilities." "Classification as Group E." A day care facility that provides care for more than five but no more than 100 children 2½ years or less of age, and the day care facilities are at the level of exit discharge and where every room where care is provided has no fewer than one exterior exit door for which the exit access and exit discharge do not require the traversing of stairs, shall be classified as Group E.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	"Residential Group R." Detached one-, two-, or three-family dwellings. The residential code as listed in rule 1301:7-7-80 of the Administrative Code shall apply to structures comprised exclusively of one-, two-, or three-family dwelling (having independent exits) and their accessory structures in jurisdictions where a residential department is certified as further described in paragraph (B)(5)(102.5) of rule 1301:7-7-01 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-02	Shall	“Residential Group R-3” “Compliance with the residential code as listed in rule 1301:7-7-80 of the Administrative Code.” Chapters 2 to 10 and 44 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code are permitted to be used in place of the requirements of this code for R-3 occupancies under the following conditions: 6. Fire separation between units within a grouping of two units, including a unit located partially or totally above another unit, shall be in accordance with section 302.2 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	“Residential Group R-3” “Compliance with the residential code as listed in rule 1301:7-7-80 of the Administrative Code.” Chapters 2 to 10 and 44 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code are permitted to be used in place of the requirements of this code for R-3 occupancies under the following conditions: 6. Fire separation between any grouping of two units and other adjacent units shall be in accordance with sections 302.2 to 302.6 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code; and	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	“Residential Group R-3” “Compliance with the residential code as listed in rule 1301:7-7-80 of the Administrative Code.” Chapters 2 to 10 and 44 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code are permitted to be used in place of the requirements of this code for R-3 occupancies under the following conditions: 7. Chapter 1 of the building code as listed in rule 1301:7-7-80 of the Administrative Code shall be applicable for code administration purposes; and	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	“Residential Group R-3” “Compliance with the residential code as listed in rule 1301:7-7-80 of the Administrative Code.” Chapters 2 to 10 and 44 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code are permitted to be used in place of the requirements of this code for R-3 occupancies under the following conditions 8. The edition of NFPA 70 listed in rule 1301:7-7-80 of the Administrative Code shall be applicable for electrical components, equipment, and system requirements; and	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	“Residential Group R-3” “Compliance with the residential code as listed in rule 1301:7-7-80 of the Administrative Code.” Chapters 2 to 10 and 44 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code are permitted to be used in place of the requirements of this code for R-3 occupancies under the following conditions: 9. The mechanical code as listed in rule 1301:7-7-80 of the Administrative Code shall apply for mechanical appliances, equipment, and system requirements, including fuel gas requirements; and	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	“Residential Group R-3” “Compliance with the residential code as listed in rule 1301:7-7-80 of the Administrative Code.” Chapters 2 to 10 and 44 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code are permitted to be used in place of the requirements of this code for R-3 occupancies under the following conditions: 10. The plumbing code as listed in rule 1301:7-7-80 of the Administrative Code shall apply for plumbing fixtures, equipment, water supply, and sanitary systems; and	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	“Residential Group R-3” “Compliance with the residential code as listed in rule 1301:7-7-80 of the Administrative Code.” Chapters 2 to 10 and 44 of the residential code as listed in rule 1301:7-7-80 of the Administrative Code are permitted to be used in place of the requirements of this code for R-3 occupancies under the following conditions: 11. Chapter 13 of the building code as listed in rule 1301:7-7-80 of the Administrative Code shall apply for energy conservation; and	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	“Miscellaneous Group U.” Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy and not used for agricultural purposes as defined in section 3781.06 of the Revised Code, shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	“Miscellaneous Group U.” Group U shall include, but not be limited to, the following: [as specified in rule]	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall not	“Representative sample showroom.” A representative sample showroom shall not contain any pyrotechnics, pyrotechnic materials, fireworks, explosives, explosive materials, or any similar hazardous materials or substances.	3737.22(A), 3737.82, 3743.25(C)	No, general rulemaking authority	Yes, state law
1301:7-7-02	Shall	“Residential facility” shall have the same meaning as in division (B) of section 5119.34 of the Revised Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-02	Shall	“Serious hazard.” A serious violation of the Ohio Fire Code shall be considered to exist if there is a substantial probability that an occurrence causing death or serious physical harm to persons could foreseeably result from a condition which exists, or from one or more practices, means, methods, operations or processes which have been adopted or are in use at a structure, location, vehicle or premise subject to the Ohio Fire Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-02	Shall	“State fire marshal.” For the purposes of paragraph (V)(122) of rule 1301:7-7-01 of the Administrative Code, ‘state fire marshal’ shall also mean the department of commerce, division of state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall not	304.1.1 Waste material. Accumulations of wastepaper, wood, hay, straw, weeds, litter or combustible or flammable waste or rubbish of any type, including but not limited to asphalt shingles, shall not be permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle or other similar structure.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	307.1.2 Ban on open burning, recreational fires, and portable outdoor fireplaces. (i) No open burning or recreational fires shall occur and no portable outdoor fireplaces shall be used in any area where a ban is in effect or at any time during a period when the state fire marshal has issued a ban.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	307.1.2 Ban on open burning, recreational fires, and portable outdoor fireplaces. (i) No open burning or recreational fires shall occur and no portable outdoor fireplaces shall be used in any area where a ban is in effect or at any time during a period when the state fire marshal has issued a ban.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	307.1.2 Ban on open burning, recreational fires, and portable outdoor fireplaces. (ii) No permit authorizing open burning, recreational fires or the use of portable outdoor fireplaces shall be issued during any time or in any area where a ban has been issued by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	307.1.2 Ban on open burning, recreational fires, and portable outdoor fireplaces. (iii) Nothing in this paragraph shall prohibit a local fire code official with authority to do so from issuing a local ban on open burning, recreational fires, or the use of portable outdoor fireplaces at any time when conditions warrant, including during times when the state fire marshal has issued a ban as long as the local ban does not contradict the ban issued by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Prohibit	307.1.2 Ban on open burning, recreational fires, and portable outdoor fireplaces. (iii) Nothing in this paragraph shall prohibit a local fire code official with authority to do so from issuing a local ban on open burning, recreational fires, or the use of portable outdoor fireplaces at any time when conditions warrant, including during times when the state fire marshal has issued a ban as long as the local ban does not contradict the ban issued by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall not	307.4.2.1 Fire pits. Recreational fires conducted in gas-fired recreational pits shall not be conducted within 15 feet of a structure or combustible materials.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	308.1.4 Open-flame cooking devices. Exceptions: 3.2 Such portable fire extinguishers shall be in an operable condition at all times and maintained in accordance with NFPA 10 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Must	308.1.4 Open-flame cooking devices. Exceptions: 3.3 All non-structural combustible material must be removed from the combustible balconies or at the cooking site located within 10 feet (3048 mm) of combustible construction.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	<i>308.1.4.1 Natural gas fired open-flame cooking devices. Where approved in writing by the fire code official, the installation and use of natural gas fired open flame cooking devices and/or appliances shall be permissible on combustible balconies of multi- (greater than two) family dwelling unit structures or within 10 feet (3048 mm) of combustible construction at multi-family dwelling unit structures, with the following conditions:</i>	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Require	308.1.4.1 Natural gas fired open-flame cooking devices. (a) The fire code official, in that official’s discretion, may require that any person responsible for the use of a natural gas fire open flame cooking device or other appliance at a multi-family dwelling unit structure, to maintain comprehensive general liability insurance in an amount sufficient to cover any damages to persons or property that could be attributed to any fire caused by the use of an open flame cooking device.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	308.1.4.1 Natural gas fired open-flame cooking devices. (b) There shall be no storage tanks or cylinders located in or near the dwelling unit structure where the cooking is to occur.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-03	Shall	308.1.4.1 Natural gas fired open-flame cooking devices. (c) The gas pressure supplied to the natural gas fueled cooking appliance shall be no more than the pressure recommended by the cooking device/appliance manufacturer.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	308.1.4.1 Natural gas fired open-flame cooking devices. (c) In no case shall the maximum pressure supplied to the device or appliance exceed 2 pounds per square inch (psi).	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	308.1.4.1 Natural gas fired open-flame cooking devices. (d) Such portable fire extinguishers shall be in an operable condition at all times and maintained in accordance with NFPA 10 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	308.1.4.1 Natural gas fired open-flame cooking devices. (e) While the natural gas fired open flame cooking device or appliance is in use, all combustibles that are not part of the dwelling unit structure shall be kept 5 feet (1524 mm) away from the cooking device.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	308.1.4.1 Natural gas fired open-flame cooking devices. (f) Any and all building code requirements for the installation and use of natural gas fired grills, open flame cooking devices or appliances shall be complied with, including compliance with any permit and inspection requirements.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	311.2.1.1. Residential property subject to section 2308.02 of the Revised Code regarding an expedited foreclosure on vacant and abandoned property, shall be secured in accordance with section 2308.031 of the Revised Code.	3737.22(A), 3737.82, 2308.031	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	311.2.1.1 If a quick release device is manufactured for the product used to secure the property, the quick release device shall be installed.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	314.3.1 Display of fireworks for retail sale. The display of fireworks for retail sale shall be in accordance with rule 1301:7-7-56 of the Administrative Code.	3737.22(A), 3737.82, 3743.18(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	319.1 The operation and maintenance of all laboratories shall be in accordance with the requirements of NFPA 45 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.2 General. In addition to other applicable provisions of this code, all mobile food units being operated in this state shall comply with the provisions of this paragraph and with all applicable provisions of this code for the type of cooking performed.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall not	320.2.1 Obstructions of fire lanes and equipment. Mobile food units shall not block fire lanes, fire hydrants, or other fire protection devices and equipment.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall not	320.2.2 Operation of fuel source during transit. LP-gas fueled equipment shall not be operated during transit unless the equipment meets both of the following:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.2.3 Carbon monoxide detection. All mobile food units shall be equipped with at least one listed carbon monoxide detection device.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO MOBILE FOOD TRUCK CARBON MONOXIDE DETECTION REQUIREMENTS: 320.2.3 Carbon monoxide detection. Exception: Carbon monoxide detectors shall not be required in mobile food units that are not equipped with fossil fuel powered equipment (such as generators or vehicle fuel tanks) and that do not otherwise produce carbon monoxide during operation.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.3 Portable fire extinguishers. All mobile food units shall have a minimum of one 5-pound ABC portable fire extinguisher located within the unit and readily accessible by the operator of the unit.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.3.1 Class K portable fire extinguishers. In addition to the portable fire extinguisher required in paragraph (T)(3)(320.3) of this rule, all mobile food units that contain cooking equipment involving vegetable or animal oils and fats shall also be protected by at least one Class K rated portable fire extinguisher in accordance with paragraphs (D)(12)(e)(904.12.5) to (D)(12)(e)(ii)(904.12.5.2) of rule 1301:7-7-09 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.3.2 Installation and maintenance. All portable fire extinguishers located within or at a mobile food unit shall be installed, serviced, tested, inspected and maintained in accordance with paragraph (F)(906) of rule 1301:7-7-09 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	<i>320.4 Egress. All mobile food units while operating commercial cooking equipment shall have two accessible means of egress remotely located from each other.</i>	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.4.1. No means of egress required by this paragraph shall be smaller than 5.7 square feet.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.5 Smoking. Smoking shall be prohibited inside of and within 10 feet of any mobile food unit that has any fuel source other than the vehicle fuel tank.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-03	Shall	320.5.1. "No Smoking" signs shall be conspicuously posted inside each mobile food unit, outside each mobile food unit in the vicinity of any location where compressed gas is stored or kept, and in a location that is visible to the public.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.5.2. "No Smoking" signs shall be in English, shall have a dark background, and shall have lettering in a contrasting color that is at least 4 inches tall and with a minimum brush stroke width of 1 inch.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.5.2. "No Smoking" signs shall be in English, shall have a dark background, and shall have lettering in a contrasting color that is at least 4 inches tall and with a minimum brush stroke width of 1 inch.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.5.2. "No Smoking" signs shall be in English, shall have a dark background, and shall have lettering in a contrasting color that is at least 4 inches tall and with a minimum brush stroke width of 1 inch.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6 LP-Gas. The storage, use and handling of LP-Gas in a mobile food unit shall comply with this rule and, except as otherwise provided herein, shall also comply with rules 1301:7-7-53, 1301:7-7-57, 1301:7-7-58 and 1301:7-7-61 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6 LP-Gas. The storage, use and handling of LP-Gas in a mobile food unit shall comply with this rule and, except as otherwise provided herein, shall also comply with rules 1301:7-7-53, 1301:7-7-57, 1301:7-7-58 and 1301:7-7-61 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.1 Containers. Only ASME certified or DOTn certified mobile LP-Gas containers in compliance with the following shall be used:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Must	320.6.1 Containers. (iii) Propane tanks must be kept in a secure manner at all times.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall not	320.6.1 Containers. (iv) The maximum aggregate capacity of containers used in a mobile food unit to contain LP-Gas shall not exceed 200 gallons (0.8 m3) aggregate water capacity.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. Supply systems for mobile food units shall comply with the following:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (i) LP-Gas supply systems used for a mobile food unit, including the containers, shall be installed either on the outside of the vehicle or in a recess or cabinet that is vapor tight to the inside of the vehicle but accessible from and vented to the outside, with the vents located near the top and bottom of the enclosure and 1 m (3 ft) horizontally away from any opening into the vehicle.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (ii) Except as otherwise provided in paragraph (T)(6)(b)(iii)(320.6.2) of this rule, LP-Gas containers shall be mounted securely on the vehicle or within the enclosing recess or cabinet and secured with non-combustible material or devices, shall be kept in a secure manner at all times, and shall comply with the following:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (ii) Except as otherwise provided in paragraph (T)(6)(b)(iii)(320.6.2) of this rule, LP-Gas containers shall be mounted securely on the vehicle or within the enclosing recess or cabinet and secured with non-combustible material or devices, shall be kept in a secure manner at all times, and shall comply with the following:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (ii) Except as otherwise provided in paragraph (T)(6)(b)(iii)(320.6.2) of this rule, LP-Gas containers shall be mounted securely on the vehicle or within the enclosing recess or cabinet and secured with non-combustible material or devices, shall be kept in a secure manner at all times, and shall comply with the following:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (ii)(a) Cylinders shall be located to minimize exposure to excessive temperature rises, physical damage, or tampering.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (ii)(b) When secured to the rear of the vehicle, propane tanks shall be mounted with a minimum 30" clearance from the bottom of the tank to the ground.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall not	320.6.2 Location and installation. (ii)(c) LP-Gas containers shall not be installed on the roof of the vehicle.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (ii)(d) Where LP-Gas containers are mounted within the vehicle housing, the housing shall be secure to the vehicle and any removable portions of the housing shall be secured to the housing while in transit.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (ii)(d) Where LP-Gas containers are mounted within the vehicle housing, the housing shall be secure to the vehicle and any removable portions of the housing shall be secured to the housing while in transit.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-03	Shall	320.6.2 Location and installation. (ii)(e) All LP-Gas container valves, appurtenances, and connections shall be protected to prevent damage from accidental contact with stationary objects, loose objects, stones, mud, or ice thrown, up from the ground or floor, and damage due to overturn or similar vehicular accident.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (ii)(f) LP-Gas cylinders shall have permanent protection for cylinder valves and connections.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (ii)(g) Where LP-Gas cylinders are located on the outside of a vehicle, weather protection shall be provided.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (ii)(h) All materials or devices used to secure LP-Gas containers shall be made of non-combustible material.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.2 Location and installation. (iii) LP Gas containers may be removed from the mobile food unit during operation activities. When so removed, propane tanks shall be secured to a stationary object or otherwise securely stabilized to prevent movement, overturn and damage at all times while operation activities are occurring.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. All piping installed in a mobile food unit shall comply with the following:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (i) Piping shall be installed in accordance with section 6.9.3 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (ii) Steel tubing shall have a minimum wall thickness of 1.2 mm (0.049 in.).	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (iii) A flexible connector shall be installed between the regulator outlet and the fixed piping system to protect against expansion, contraction, jarring, and vibration strains.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (iv) Flexibility shall be provided in the piping between a cylinder and the gas piping system or regulator.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (v) Flexible connectors shall be installed in accordance with section 6.9.6 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (v) Flexible connectors installed between apparatus and the piping system shall be installed in accordance with ANSI Z21-69-2015/CSA 6.6-2015 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (vi) Flexible connectors longer than the length allowed in the code, or fuel lines that incorporate hose, shall be used only where approved.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (vii) The fixed piping system shall be designed, installed, supported, and secured to minimize the possibility of damage due to vibration, strains, or wear and to preclude any loosening while in transit.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (viii) Piping shall be installed in a protected location.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (viii)(a) Fastening or other protection shall be installed to prevent damage due to vibration or abrasion.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (viii)(b) At each point where piping passes through sheet metal or a structural member, a rubber grommet or equivalent protection shall be installed to prevent chafing.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (ix) Hydrostatic relief valves shall be installed in isolated sections of liquid piping in accordance with section 6.13 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.3 Piping and connectors. (x) Piping systems, including hose, shall be pressure tested and proven free of leaks in accordance with section 6.14 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.4 Emergency shut off controls. Mobile food units using LP-Gas shall be provided with readily distinguishable and accessible marked exterior emergency shut off controls with a quarter-turn manual gas ball valve.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.4.1 Signage. Signs shall be permanently mounted at the location of the emergency shut off controls and shall state: [as specified in rule]	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.4.1 Signage. Signs shall be permanently mounted at the location of the emergency shut off controls and shall state: [as specified in rule]	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.4.1.1. Signs shall be clearly visible and shall remain unobscured at all times.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-03	Shall	320.6.4.1.1. Signs shall be clearly visible and shall remain unobscured at all times.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.4.1.1. Signs shall be weather resistant, of contrasting colors, and shall be readable from a minimum distance of 25 feet.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.6.4.1.1. Signs shall be weather resistant, of contrasting colors, and shall be readable from a minimum distance of 25 feet.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.7 Distance and separation requirements. While parked and in operation mobile food units, exclusive of awnings and appurtenances, using or containing a fuel source or generator other than the vehicle fuel tank shall be separated from the entrances and other exits of buildings or structures and combustible materials by a clear space distance of 10 feet (3 m).	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.7 Distance and separation requirements. While parked and in operation mobile food units using or containing a fuel source or generator other than the vehicle fuel tank shall be separated from other mobile food units by a clear space distance of 3 feet (0.9144 m).	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall not	320.8.1. Generators servicing a mobile food unit shall not be fueled while the mobile food unit is in operation.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall not	320.8.2. Generators shall not be fueled while the generator is in use and shall not be fueled until the generator has been turned off and the surface temperature of the engine and fuel tank is below the autoignition temperature of the fuel.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall not	320.8.2. Generators shall not be fueled while the generator is in use and shall not be fueled until the generator has been turned off and the surface temperature of the engine and fuel tank is below the autoignition temperature of the fuel.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.8.3. No generator shall be operated or used or fueled within the occupant space of a mobile food unit.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-03	Shall	320.9 Electrical Wiring and Equipment. All electrical wiring and equipment shall be installed in accordance with NFPA 70 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	403.12.4 Apparatus access at carnivals, fairs, and amusement buildings. At all events subject to or permitted in accordance with paragraph (E)(6)(b)(105.6.2) or (E)(6)(d)(105.6.4) of rule 1301:7-7-01 of the Administrative Code, no parking, vehicle, vendor, concession apparatus, booth, or any other obstruction shall be arranged or maintain in any manner that blocks the unobstructed access of emergency response vehicles to the permitted premises or in any manner that blocks the emergency response vehicles from accessing all portions of the permitted premises.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	403.12.4 Apparatus access at carnivals, fairs, and amusement buildings. The determination of access necessary shall be based upon the size and turning radius of the equipment and vehicles of the permitting entity or authority.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT SHALL NOT GIVE AUTHORITY TO THE FIRE CODE OFFICIAL TO APPROVE OR REQUIRE TEMPORARY DOOR LOCKING DEVICES: 404.2.2 Fire safety plans. (ii) The life safety strategy including the following: (b) Procedures for occupants under a defend-in-place response, including the type, location, and operating instructions of temporary door locking devices, if any. However, this paragraph shall not be construed to give the fire code official authority to approve or prohibit the use of any temporary door locking device approved and used in conformance with the rules developed by the Ohio Board of Building Standards.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Prohibit	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT SHALL NOT GIVE AUTHORITY TO THE FIRE CODE OFFICIAL TO APPROVE OR REQUIRE TEMPORARY DOOR LOCKING DEVICES: 404.2.2 Fire safety plans. (ii) The life safety strategy including the following: (b) Procedures for occupants under a defend-in-place response, including the type, location, and operating instructions of temporary door locking devices, if any. However, this paragraph shall not be construed to give the fire code official authority to approve or prohibit the use of any temporary door locking device approved and used in conformance with the rules developed by the Ohio Board of Building Standards.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-04	Shall	404.4.2 An evacuation plan indicating the primary and secondary emergency evacuation routes, and including proper occupant-to-building orientation, shall be permanently and conspicuously posted at the main exit door inside of each room accessible to all persons in all educational occupancies.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall not	404.4.2 The plan shall not be obscured from view by any materials.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.1 Schools and children's homes. A principal or person in charge of a public or private school or educational institution having an average daily attendance of twenty or more pupils or a person in charge of any children's home or orphanage housing twenty or more minor persons shall instruct and train such children by means of drills or rapid dismissals so that such children in a sudden emergency may leave the building in the shortest possible time without confusion.	3737.22(A), 3737.82, 3737.73(A)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.1 Schools and children's homes. Such drills or rapid dismissals shall be conducted in accordance with the following:	3737.22(A), 3737.82, 3737.73(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.1 Schools and children's homes. (i) All drills or rapid dismissals shall be conducted at the times and frequencies prescribed in this rule.	3737.22(A), 3737.82, 3737.73(A)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.1 Schools and children's homes.(ii) The principal or person in charge of a public or private school or educational institution having an average daily attendance of twenty or more pupils shall conduct not less than one drill or rapid dismissal during each month of the school year as required by and in accordance with section 3737.73 (E) of the Revised Code.	3737.22(A), 3737.82, 3737.73€	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.1 Schools and children's homes. (iii) The principal or person in charge of a school or educational institution that has smoke detectors or a sprinkler system in all classroom buildings of the school or educational institution shall conduct a drill or rapid dismissal not less than six times during the school year.	3737.22(A), 3737.82, 3737.73(A)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.1 Schools and children's homes. (iv) The principal or person in charge of a school or educational institution that does not have smoke detectors or a sprinkler system in all classroom buildings of the school or educational institution shall conduct a drill or rapid dismissal not less than nine times during the school year.	3737.22(A), 3737.82, 3737.73(F)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.1 Schools and children's homes. (v) The principal or person in charge of a children's home or orphanage shall conduct drills or rapid dismissals at least once each month while the home is in operation as required by and in accordance with section 3737.73 (A) of the Revised Code.	3737.22(A), 3737.82, 3737.73(A)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall not	405.1.1 Schools and children's homes. A drill or rapid dismissal conducted pursuant to this paragraph shall not be conducted in such a manner that the evacuation of students is in conjunction with the dismissal of students for the day.	3737.22(A), 3737.82, 3737.73(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.1 Schools and children's homes. In conjunction with the drills or rapid dismissals required in this paragraph, the principal or person in charge of a public or private primary or secondary school or educational institution shall instruct pupils in safety precautions to be taken in case of a tornado alert or warning and shall designate an appropriate location or locations to be used to shelter pupils in case of a tornado, tornado alert, or warning in accordance with paragraph (D)(408) of this rule.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.1 Schools and children's homes. In conjunction with the drills or rapid dismissals required in this paragraph, the principal or person in charge of a public or private primary or secondary school or educational institution shall instruct pupils in safety precautions to be taken in case of a tornado alert or warning and shall designate an appropriate location or locations to be used to shelter pupils in case of a tornado, tornado alert, or warning in accordance with paragraph (D)(408) of this rule.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.3 Intent to conduct inspections of emergency evacuation drill records. To become the state fire marshal's designee, the fire department shall file a written notice with the state fire marshal of the department's intent to conduct inspections of schools, educational institutions, children's homes or orphanages.	3737.22(A), 3737.82, 3737.73(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.3 Intent to conduct inspections of emergency evacuation drill records. Such written notice shall identify each school, educational institution or children's home that the fire department intends to inspect specifically by name and address.	3737.22(A), 3737.82, 3737.73(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.3 Intent to conduct inspections of emergency evacuation drill records. Notice shall be submitted to the state fire marshal on or before the first day of August of each calendar year.	3737.22(A), 3737.82, 3737.73(C)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-04	Shall	405.1.3 Intent to conduct inspections of emergency evacuation drill records. Any fire department that files a written notice with the state fire marshal of its intent to conduct inspections and becomes the state fire marshal's designee shall remain the state fire marshal's designee and shall conduct inspections for the purposes of determining compliance with this paragraph and with section 3737.73 of the Revised Code until such time as the department notifies the state fire marshal that it will no longer conduct such inspections.	3737.22(A), 3737.82, 3737.73(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.3 Intent to conduct inspections of emergency evacuation drill records. Any fire department that files a written notice with the state fire marshal of its intent to conduct inspections and becomes the state fire marshal's designee shall remain the state fire marshal's designee and shall conduct inspections for the purposes of determining compliance with this paragraph and with section 3737.73 of the Revised Code until such time as the department notifies the state fire marshal that it will no longer conduct such inspections.	3737.22(A), 3737.82, 3737.7(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.3 Intent to conduct inspections of emergency evacuation drill records. Such notice shall be in writing and shall identify each school, educational institution, children's home, or orphanage specifically by name and address and shall clearly state that the department will no longer inspect.	3737.22(A), 3737.82, 3737.73(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.3 Intent to conduct inspections of emergency evacuation drill records. Such notice shall be in writing and shall identify each school, educational institution, children's home, or orphanage specifically by name and address and shall clearly state that the department will no longer inspect.	3737.22(A), 3737.82, 3737.73(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.3 Intent to conduct inspections of emergency evacuation drill records. Such notice shall be in writing and shall identify each school, educational institution, children's home, or orphanage specifically by name and address and shall clearly state that the department will no longer inspect.	3737.22(A), 3737.82, 3737.73(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.3 Intent to conduct inspections of emergency evacuation drill records. The notice shall be submitted to the state fire marshal at least 30 days prior to the time that the department discontinues its inspection program.	3737.22(A), 3737.82, 3737.73(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.3 Intent to conduct inspections of emergency evacuation drill records. Nothing in this paragraph shall be construed to limit a fire code official's authority to conduct an inspection of a school for the purposes of determining compliance with this code.	3737.22(A), 3737.82, 3737.73(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.3.1 Inspections. After filing a notice in accordance with paragraph (E)(1)(c)(405.1.3) of this rule, a fire department shall thereafter conduct inspections in accordance with the following:	3737.22(A), 3737.82, 3737.73(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	405.1.3.1.1 School or educational institution. The fire department shall annually inspect a school or educational institution for the purpose of determining whether or not the principal or person in charge of the school or educational institution has, in accordance with paragraph (E)(1)(a)(405.1.1) of this rule and section 3737.73 of the Revised Code, conducted drills or rapid dismissals, has instructed pupils in safety precautions to be taken in case of a tornado alert or warning, and has designated an appropriate location to be used to shelter pupils in case of a tornado, tornado alert, or warning.	3737.22(A), 3737.82, 3737.73(C)(1)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.3.1.2 Children's home or orphanage. The fire department shall annually inspect a children's home or orphanage for the purpose of determining whether or not the principal or person in charge of the children's home or orphanage has conducted drills or rapid dismissals in accordance with paragraph (E)(1)(a)(405.1.1) of this rule and section 3737.73 of the Revised Code.	3737.22(A), 3737.82, 3737.73(C)(1)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.3.1.2 Children's home or orphanage. Upon inspection and a determination that the school, educational institution, children's home, or orphanage has not complied with the provisions of this paragraph or the provision of section 3737.73 of the Revised Code, the state fire marshal's designee shall issue a written warning to the principal or person in charge of the school, educational institution or children's home.	3737.22(A), 3737.82, 3737.73(C)(1)-(C)(2)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.3.1.2 Children's home or orphanage. The warning shall indicate the specific violation and the date by which the violation shall be corrected.	3737.22(A), 3737.82, 3737.73(C)(2)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.3.1.2 Children's home or orphanage. The warning shall indicate the specific violation and the date by which the violation shall be corrected.	3737.22(A), 3737.82, 3737.73(C)(2)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	405.1.3.2 Jurisdiction. For the purpose of this paragraph, the fire agency having jurisdiction shall be the state fire marshal or any such duly constituted fire department of a political subdivision having filed the written notice of intent to conduct inspections in accordance with this paragraph.	3737.22(A), 3737.82, 3737.73(C)(1)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-04	Shall	408.1 Pursuant to section 3737.73 of the Revised Code, principals or persons in charge of public or private primary and secondary schools or educational institutions having an average daily attendance of twenty or more pupils shall designate appropriate locations in their respective facilities to be used to shelter pupils in case of a tornado, tornado alert, or tornado warning.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	408.1 The designation of such locations shall be in accordance with the standards prescribed by the fire marshal, as set forth herein.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	Yes, state law
1301:7-7-04	Shall	408.1 However, nothing in these rules shall be construed as requiring a school or institution to construct or improve a facility or area thereof for use as a tornado shelter, or to install a tornado alarm system.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall not	408.2(a) The fire alarm system shall not be used to alert building occupants of a tornado, tornado alert, or tornado warning.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	408.2(b) The principal or person in charge of the school shall submit a clear, comprehensive, detailed, and legible drawing to the local fire code official, showing the building floor plan(s) and designated tornado shelter area(s).	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	408.2(b) Each room or area shown on the plan shall be clearly indicated as to its particular use.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	408.2(c) The drawing required by paragraph (H)(2)(b)(408.2) of this rule, shall be submitted to the local fire code official for his information.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	408.2(c) A copy shall be maintained in the office of each school, for examination by the state fire marshal or local fire code official.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	408.2(d) Tornado drills shall be conducted at least once a month whenever school is in session during the tornado season.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	408.2(d) A record of such drills shall be maintained in the office of each school for examination by the fire code official.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	408.2(e) The occupants of modular classroom facilities shall be moved out of such facilities and to the designated tornado shelter area(s) in the event of a tornado, tornado alert, or tornado warning.	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	Shall	408.2(f) Each local fire code official conducting the annual inspection of each school or institution shall be designated pursuant to division (C) of section 3737.73 of the Revised Code to verify compliance with the tornado safety provisions of this rule.	3737.22(A), 3737.82, 3737.73(B) and (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-04	May not	408.3 Standards for shelter designation. It is recommended that the designation of areas to be used as tornado shelters be in accordance with the following criteria: (g) Avoid rooms or areas which are locked, since they may not be readily accessible during an emergency	3737.22(A), 3737.82, 3737.73(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-05	Shall	503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction which are not readily accessible from a public and/or private street.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-05	Shall	507.1.1. Unobstructed access to water supplies shall be maintained at all times and fire department access to existing water supplies shall not be hindered in any manner.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-05	Shall not	507.1.1. Unobstructed access to water supplies shall be maintained at all times and fire department access to existing water supplies shall not be hindered in any manner.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-05	Shall	509.2 Equipment access. Unobstructed access to fire protection equipment shall be maintained at all times.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.3.1 Permits. Permits shall be required as set forth in rule 1301:7-7-01 of the Administrative Code for fuel oil storage systems exceeding 60 gallons in storage capacity.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 3. Normal and emergency venting shall be provided in accordance with NFPA 30 as listed in rule 1301:7-7-80 of the Administrative Code except that the vent capacity reduction factors shall not be allowed.	3737.22(A), 3737.82,	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 3. Normal and emergency venting shall be provided in accordance with NFPA 30 as listed in rule 1301:7-7-80 of the Administrative Code except that the vent capacity reduction factors shall not be allowed.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 3. Normal vent shall terminate to the outside of the building.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 4. Flame arrestors or pressure vacuum breather valves shall be installed in normal vents.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 5. Secondary containment, drainage control or diking shall be provided in accordance with paragraph (D)(2)(5004.2) of rule 1301:7-7-50 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 6. An overfill prevention system that prevents the tank from being filled in excess of 95 per cent of its capacity shall be provided for each tank.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 6. Filling procedure information shall be available accessible to the person filling the tanks.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 7. The fill pipe shall be provided with a means of making a direct connection to the fuel delivery hose so that the delivery of fuel is not exposed to the open air during the filling operation.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 7. The fill line shall terminate to the outside.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 8. A noncombustible fixed spill container having a capacity of not less than 5 gallons (19 L) shall be provided for each fill connection.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 8. The spill container shall be equipped with a manual drain valve that drains into the primary tank.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS A CONDITION FOR APPLICABILITY OF AN EXCEPTION TO QUANTITY LIMITS: 603.3.3.1 Quantity limits. Exception: 9. Approved anti-siphon devices shall be installed in each external pipe connected to the protected above-ground tank when the pipe extends below the level of the top of the tank; and	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.3.4 Additional protection. Aboveground tanks for the storage of fuel oil shall be safeguarded from public access or unauthorized entry.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.3.4 Additional protection. Additional protection meeting the requirements of paragraph (D)(1)(b)(3404.1.2) of rule 1301:7-7-34 of the Administrative Code shall be provided.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4 Portable unvented heaters. Portable kerosene-fired space or room heaters shall be equipped with an automatic extinguishing tip-over device.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-06	Shall	603.4 Portable unvented heaters. Any natural gas-fired or liquid petroleum gas-fired space or room heater shall be equipped with an oxygen depletion safety shutoff system and the source of fuel shall be piped from a location outside the building.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4 Portable unvented heaters. Any natural gas-fired or liquid petroleum gas-fired space or room heater shall be equipped with an oxygen depletion safety shutoff system and the source of fuel shall be piped from a location outside the building.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4 Portable unvented heaters. All unvented heaters shall be marked by the manufacturer in some conspicuous manner that the heater has been approved and listed by one of the authoritative sources listed in rule 1301:7-7-01 of the Administrative Code.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.1 Prohibited locations. No unvented kerosene heater shall be located in any building means of egress.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.2 Elevation not permitted. No unvented kerosene heater shall be elevated by being placed upon a stand or otherwise placed or suspended above the floor.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.3 Placement restrictions. No unvented kerosene heater shall be placed within three feet of any furniture, drapery, curtain, decorative material, accessory, appliance, equipment, merchandise, goods, or fixture, or any other thing, which is or may be combustible.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.4 Must be attended. No unvented kerosene heater shall be left unattended while it is operating.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.5 Non-combustible mat required. Every unvented kerosene heater shall be set and centered upon a noncombustible mat or shallow base, the dimensions of which shall be sufficient to allow at least three feet of the mat or base to extend outward in any direction from any part of the unvented kerosene heater.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.5 Non-combustible mat required. Every unvented kerosene heater shall be set and centered upon a noncombustible mat or shallow base, the dimensions of which shall be sufficient to allow at least three feet of the mat or base to extend outward in any direction from any part of the unvented kerosene heater.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.6 Ventilation required. Every unvented kerosene heater shall be used in an area where there is adequate ventilation, as recommended by the manufacturer of such heater.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.7 Cool-down required. No unvented kerosene heater shall be fueled or refueled while it is operating or within ten minutes of flame extinguishment, or contrary to the instructions of its manufacturer.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.8 Fueling prohibited. No unvented kerosene heater or its fuel reservoir shall be fueled or refueled inside a building.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.8 Fueling prohibited. All such fueling operations shall be performed outdoors.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.9 Fueling guidelines. Every unvented kerosene heater shall be fueled or refueled strictly in accordance with the instructions of its manufacturer.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.10 Fuel requirements. The fuel in every unvented kerosene heater shall be only No. 1-K kerosene as prescribed in paragraph (F)(9)(3406.9) of rule 1301:7-7-34 of the Administrative Code.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.11 Fuel storage. The fuel used in every unvented kerosene heater shall be stored away from occupied areas and in an approved container which shall be marked or labeled in a conspicuous manner to read: "1-K kerosene."	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.11 Fuel storage. The fuel used in every unvented kerosene heater shall be stored away from occupied areas and in an approved container which shall be marked or labeled in a conspicuous manner to read: "1-K kerosene."	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.12 Fire extinguisher requirements. At least one fire extinguisher with a minimum 2-A, 20-B:C rating and capacity shall be provided and available for use within twenty-five feet of every unvented kerosene heater during its operation.	3737.22(A), 3737.82, 3701.82(E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.13 Manufacturer's instructions. No persons shall sell or offer for sale any kerosene heater in this state unless the manufacturer has provided instructions for operating the heater and certain information about its use, which shall include the following:	3737.22(A), 3737.82, 3701.82(E) and (F)	No, general rulemaking authority	Yes, state law
1301:7-7-06	Shall	603.4.13 Manufacturer's instructions. No persons shall sell or offer for sale any kerosene heater in this state unless the manufacturer has provided instructions for operating the heater and certain information about its use, which shall include the following:	3737.22(A), 3737.82, 3701.82(E) and (F)	No, general rulemaking authority	Yes, state law

1301:7-7-06	Shall	603.4.13 Manufacturer's instructions. (iv) All safety features incorporated in the heater shall be described.	3737.22(A), 3737.82, 3701.82(E) and (F)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.13 Manufacturer's instructions. (vi) Proper fueling procedures shall be set forth.	3737.22(A), 3737.82, 3701.82(E) and (F)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.13 Manufacturer's instructions. (xii) A cautionary warning that no additive for the heater's fuel with a flashpoint below 100oF shall be used.	3737.22(A), 3737.82, 3701.82(E) and (F)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.13 Manufacturer's instructions. (xiii) The recommended minimum room size for the Btu output of the heater shall be set forth.	3737.22(A), 3737.82, 3701.82(E) and (F)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.13 Manufacturer's instructions. (xiv) The type and grade of fuel the heater is designed to use shall be set forth, together with any safety or fire hazard which might be involved if improper fuel is used.	3737.22(A), 3737.82, 3701.82(E) and (F)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.13 Manufacturer's instructions. (xvi) The ventilation requirements necessary for the safe operation of every unvented kerosene heater shall be set forth.	3737.22(A), 3737.82, 3701.82(E) and (F)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	603.4.14 Issuance of citation. If the state fire marshal, his authorized representative, or a certified fire safety inspector finds that the use of an unvented kerosene heater or the storage of its fuel is not in compliance with the provisions of this rule, the state fire marshal, his authorized representative, or a certified fire safety inspector shall issue a citation to the responsible person as authorized by section 3737.42 of the Revised Code.	3737.22(A), 3737.82, 3737.42(A)	No, general rulemaking authority	Yes, state law
1301:7-7-06	Shall	604.8 Exit and emergency lighting equipment. Exit and emergency lighting equipment with self contained battery back-up power shall be inspected and tested in accordance with paragraphs (D)(6)(a)(604.6.1) to (D)(6)(c)(604.6.3) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	604.8.1 Activation test. An activation test of the exit and emergency lighting equipment with self contained battery back-up power shall be performed monthly for a period of not less than 30 seconds.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	604.8.2 Duration test. To insure continued illumination for a duration of not less than 90 minutes as listed in paragraph (K)(5)(c)(1011.5.3) of rule 1301:7-7-10 of the Administrative Code, exit and emergency lights equipped with self contained battery back-up power shall be tested annually for a period of not less than 90 minutes.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-06	Shall	604.8.3 Test records. A written record of all inspection, testing and maintenance of exit and emergency lighting equipment shall be documented and available for review by the fire code official.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-07	Shall	701.2 Unsafe conditions. Where the extent of the conditions of components is such that any building, structure or portion thereof presents an imminent danger to the occupants of the building, structure or portion thereof, the fire code official shall act in accordance with section 3737.44 of the Revised Code and paragraphs (I)(1)(a)(109.1.1) and (J)(1)(a)(110.1.1) of rule 1301:7-7-01 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A), 3737.44	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-08	Shall	805.5 Public occupancies. The provisions of this paragraph shall apply to public occupancies as defined in paragraph (B)(2)(802.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-08	Shall	805.5.1 Requirements. No person shall sell for use in a public occupancy or use in a public occupancy any upholstered furniture that does not conform with the requirements of California Technical Bulletin 133 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3737.842(A), (B), and (C)	No, general rulemaking authority	Yes, state law
1301:7-7-08	Shall	805.5.2 Labeling. The manufacturer of any seating furniture sold in this state that conforms to the requirements of paragraph (E)(5)(a)(805.4.1) of this rule shall attach a permanent label to the article, in plain view, no less than two inches by three inches and the type shall be in all capital letters and no smaller than one-eighth inch in height stating the following: [as specified in rule]	3737.22(A), 3737.82, 3737.842(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-08	Shall	805.5.2 Labeling. The manufacturer of any seating furniture sold in this state that conforms to the requirements of paragraph (E)(5)(a)(805.4.1) of this rule shall attach a permanent label to the article, in plain view, no less than two inches by three inches and the type shall be in all capital letters and no smaller than one-eighth inch in height stating the following: [as specified in rule]	3737.22(A), 3737.82, 3737.842(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-08	Shall	805.5.4 Research reports. When deemed necessary, the state fire marshal shall require the submission of authenticated research reports to verify that the seating furniture complies with the flammability standards.	3737.22(A), 3737.82, 3737.842(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-08	Require	805.5.4 Research reports. When deemed necessary, the state fire marshal shall require the submission of authenticated research reports to verify that the seating furniture complies with the flammability standards.	3737.22(A), 3737.82, 3737.842(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-09	Shall	901.2 Construction documents. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the construction documents shall be reviewed and approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	901.3 Permits. Permits shall be required as set forth in <i>rule 1301:7-7-01 of the Administrative Code and as required by the building code as listed in rule 1301:7-7-80 of the Administrative Code.</i>	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	901.5 Installation acceptance testing. 1. Advanced notice of the test schedule shall be given to the building official in accordance with section 901.5 of the building code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	901.5 Installation acceptance testing. 2. When required by the fire code official all acceptance testing shall be conducted in the presence of the fire code official.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	901.5 Installation acceptance testing. 3. When required by the fire code official all acceptance testing shall be conducted in the presence of the person who installed the equipment or, if it is not possible for the actual installer to be present, the acceptance testing shall be conducted in the presence of another qualified representative of the company that installed the equipment.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	901.5 Installation acceptance testing. 3. When required by the fire code official all acceptance testing shall be conducted in the presence of the person who installed the equipment or, if it is not possible for the actual installer to be present, the acceptance testing shall be conducted in the presence of another qualified representative of the company that installed the equipment.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	901.6 Inspection, testing and maintenance. Any discontinuance or removal of nonrequired fire protection equipment shall be approved by the fire code official.	3737.22, 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	901.6 Inspection, testing and maintenance. Such approval shall be conditioned upon receipt of verification of building official determination that such fire protection equipment is nonrequired.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	901.6.2.1 Records information. Acceptance testing records (original documents) shall be retained for the life of the system.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	<i>901.6.3 Annual inspection tag for fire protection systems. An inspection tag shall be attached to each fire protection system near the main control valve, main panel, or other such appropriate and visible location as determined by the fire code official.</i>	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	<i>901.6.3 Annual inspection tag for fire protection systems. The annual inspection tag shall contain the following information: [as specified in rule]</i>	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	<i>901.6.3.1 When a sprinkler or standpipe system is found impaired or out of service, the tag requirement shall include an impairment tag in accordance with NFPA 25 as listed in rule 1301:7-7-80 of the Administrative Code.</i>	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	901.8.3 Notification of termination of supervisory services. The responsible person shall notify the local fire code official of the termination of any supervisory service within twenty-four (24) hours of such termination.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	903.1.1 Alternative protection. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the alternative automatic fire-extinguishing system shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Require	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO SPRINKLER REQUIREMENTS (and does not require anything, but rather refernces whethre or not people would have to traverse stairs as apart of an exit discharge): 903.2.6 Group I. Exception 4. An automatic sprinkler system is not required in day care facilities that provide care for more than five but no more than 100 children 2½ years or less of age and the day care facilities are at the level of exit discharge and where every room where care is provided has no fewer than one exterior exit door for which the exit access and exit discharge do not require the traversing of stairs.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Must	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO SPRINKLER REQUIREMENTS: 903.2.8 Group B. Exception 5. All dwelling units in the fire area must have separations as required by section 708.1 of the building code as listed in rule 1301:7-7-80 of the Administrative Code for dwelling units	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-09	Shall	903.3.1.1.1 Exempt locations. (ii) At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the exempt location shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	903.3.1.3 NFPA 13D sprinkler systems. Automatic sprinkler systems installed in buildings of Groups I-1, R-3, Group R-4 Condition 1 and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	903.3.7.1 Locking fire department connection ("FDC") caps. Where required by the fire code official and the responding fire department carries appropriate key wrenches for removal, locking "FDC" caps on fire department connections for water-based fire protection systems shall be provided.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	903.4.1 Monitoring. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the constantly attended location shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	904.2 Where permitted. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the alternative automatic fire-extinguishing system shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	905.3 Required installations. Where these systems are installed, the hose connections shall be installed in the locations indicated in paragraphs (E)(4)(905.4), (E)(5)(905.5) and (E)(6)(905.6) of this rule.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	905.4 Location of Class I standpipe hose connections. 1. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official and in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	905.5.3 Class II system 1-inch hose. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the 1-inch (25 mm) hose shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO PORTABLE FIRE EXTINGUISHER REQUIREMENTS: 906.1 Where required. Exception 2. In Group E occupancies, portable fire extinguishers shall be required only in locations specified in paragraphs (b) through (f) of this rule where each classroom is provided with a portable fire extinguisher having a minimum rating of 2-A:20-B:C.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	906.5 Conspicuous location. These locations shall be along normal paths of travel, unless the fire code official determines and in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code that the hazard posed indicates the need for placement away from normal paths of travel.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	907.1 General. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the fire alarm and detection system shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	907.2 Exception 2. The fire code official shall provide notice to the building official when the manual fire alarm box is required.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	907.2.9.2 Group R-2 college and university buildings. Required smoke alarms in dwelling units and sleeping units in Group R-2 occupancies operated by a college and university for student or staff housing shall be interconnected with the fire alarm system in accordance with NFPA 72 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Require	907.4.2.5 Protective covers. The fire code official is authorized to require the installation of listed manual fire alarm box protective covers to prevent malicious false alarms or to provide the manual fire alarm box with protection from physical damage and in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall not	907.5.1 Pre-signal feature. Pre-signal feature shall not be installed unless approved by the fire code official and the fire department and in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22, 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-09	Shall	907.5.1 Pre-signal feature. Where a pre-signal feature is provided, a signal shall be annunciated at a constantly attended location approved by the fire department <i>and in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code</i> , so that occupant notification can be activated in the event of fire or other emergency.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	907.5.2 Alarm notification appliances. <i>Audible and visual alarm notification appliances shall be located and installed in accordance with this paragraph, accessibility requirements as set forth in chapter 11 of the building code as listed in rule 1301:7-7-80 of the Administrative Code and NFPA 72 as listed in rule 1301:7-7-80 of the Administrative Code.</i>	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	907.6.6.1 Automatic telephone-dialing devices. The fire code official shall notify the building code official of the certified building code department having jurisdiction of this approval.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	907.7 Acceptance tests and completion. When required by the fire code official, all acceptance testing shall be conducted in the presence of the fire code official.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	907.8.5 Inspection, testing and maintenance. Service personnel shall meet the certification requirements of this rule as applicable and the qualification requirements of NFPA 72 as listed in rule 1301:7-7-80 of the Administrative Code for inspection, testing and maintenance of such systems.	3737.22(A), 3737.82, 3737.83(A), (B), (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	909.5.2 Testing of leakage area. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the test method shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	909.7 Airflow design method. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, airflow design method shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	909.8 Exhaust method. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the exhaust method shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	909.5 Design fire. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the design fire shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	909.10 Equipment. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the equipment shall be approved by the fire code official prior to system installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	909.18.8.3.1 Report filing. A copy of the final report shall be filed with the fire code official and the building code official and an identical copy shall be maintained in an approved location at the building.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	909.18.8.3.1 Report filing. A copy of the final report shall be filed with the fire code official and the building code official and an identical copy shall be maintained in an approved location at the building.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall not	909.19 System acceptance. Buildings, or portions thereof, required by this code to comply with this paragraph shall not be occupied until such time that the provisions of this paragraph have been fully complied with and that the fire department has received satisfactory instruction on the operation, both automatic and manual, of the system and a written maintenance program complying with the requirements of paragraph (I)(20)(a)(909.20.1) of this rule has been submitted and approved by the fire code official.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	910.2 Where required. Smoke and heat vents, <i>an approved mechanical smoke exhaust system, or an approved manually activated smoke exhaust system</i> shall be installed as required by paragraphs (J)(2)(a)(910.2.1) and (J)(2)(b)(910.2.2) of this rule.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	910.6 Manually activated smoke exhaust system. A manually activated smoke exhaust system shall be an acceptable alternate to smoke and heat vents and to allow for the increased travel distance option provided in paragraph (P)(3)(1016.3) of rule 1301:7-7-10 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	910.6.1 Location. Exhaust fans shall be uniformly spaced throughout the Group F-1 or S-1 portion of the building.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	910.6.2 Size. Fans shall have a maximum individual capacity of 50,000 cubic feet per minute (cfm) and provide a minimum of two air changes per hour.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	910.6.3 Operation. Smoke exhaust fans shall be manually activated by individual manual controls.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-09	Shall	910.6.4 Wiring and control. Wiring for operation and control of smoke exhaust fans shall be connected ahead of the main disconnect and protected against exposure to temperatures in excess of 1000 degrees F (538 degrees C) for a period of not less than 15 minutes.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	910.6.4 Wiring and control. Controls shall be located so as to be immediately accessible to the fire service from the exterior of the building and protected against interior fire exposure by not less than 1-hour fire barriers constructed in accordance with Section 707 of the building code as listed in rule 1301:7-7-80 of the Administrative Code or horizontal assemblies constructed in accordance with Section 711 of the building code as listed in rule 1301:7-7-80 of the Administrative Code, or both.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	910.6.5 Supply air. Supply air for exhaust fans shall be provided at or near the floor level and shall be sized to provide a minimum of 50 per cent of required exhaust.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	910.6.5 Supply air. Supply air for exhaust fans shall be provided at or near the floor level and shall be sized to provide a minimum of 50 per cent of required exhaust.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	910.6.5 Supply air. Supply air for exhaust fans shall be uniformly distributed around the periphery of the area served.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	910.6.6 Interlocks. In combination comfort air-handling/manually activated smoke exhaust systems or independent comfort air-handling systems, the comfort air-handling system fans shall be controlled to automatically shut down upon duct or area smoke detector activation or sprinkler system water flow as specified in the approved manually activated smoke exhaust system sequence of operation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	912.2 Location. After approving the location of the fire department connection(s), the fire code official shall submit this approval to the building code official of the certified building department having jurisdiction.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	912.2.1 Visible location. If the fire code official approves a fire department connection location that does not meet the above criteria, the fire code official shall provide this input to the building code official of the certified building department having jurisdiction.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	912.4.1 Locking fire department connection caps. The fire code official shall notify the building official of the requirement for locking fire department connection caps.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	912.4.2 Clear space around connections. The fire code official shall notify the building code official of the certified building department having jurisdiction of any conditions approved by the fire code official that exceed the minimum requirements contained in this paragraph.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	913.5.2 Generator sets. Written records of such tests shall meet the requirements of paragraph (D)(4)(b)(604.4.2) of rule 1301:7-7-06 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	913.5.3 Transfer switches. Written records of such tests shall meet the requirements of paragraph (D)(4)(b)(604.4.2) of rule 1301:7-7-06 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.1 No person shall sell, offer for sale, or use any fire protection or fire-fighting equipment which does not meet the minimum standards for such equipment as specified in this code.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A)	Yes, state law	Yes, state law
1301:7-7-09	Shall	916.2 Except for public and private mobile fire trucks, no person shall engage in the business of servicing, testing, repairing, or installing fire protection or fire-fighting equipment for profit without first being certified by the state fire marshal, as required by section 3737.65 of the Revised Code and this code.	3737.22(A), 3737.82, 3737.83(A), 3737.65(B)	Yes, state law	Yes, state law
1301:7-7-09	Must	916.6 Those seeking certification to work on a particular engineered or pre-engineered system must show at least one of the following:	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B), (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.6 Those seeking certification to work on a particular engineered or pre-engineered system must show at least one of the following: (b) Documentation demonstrating that the applicant has witnessed the code compliant installation of ten engineered or pre-engineered systems within two years immediately prior to making application. The documentation shall include the license number of the individual performing such installation, type of system, date and location of installation.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.7 Except for provisional individuals, the state fire marshal shall require all applicants to obtain a passing grade of at least seventy per cent on a fire protection installer examination administered by the state fire marshal prior to certification.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Require	916.7 Except for provisional individuals, the state fire marshal shall require all applicants to obtain a passing grade of at least seventy per cent on a fire protection installer examination administered by the state fire marshal prior to certification.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-09	Must	916.9 An individual must be a company certified pursuant to paragraph (P)(4)(916.4) of this rule or must be associated with a certified company when such individual engages in the business of servicing, testing, repairing or installing fire protection or fire-fighting equipment for profit.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.10 Entities who engage persons to work on engineered or pre-engineered systems or to test, service, repair or provide maintenance on fire protection or fire-fighting equipment shall only engage competent and qualified individuals for work.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.11 Every certified individual shall carry the certificate issued pursuant to paragraph (P)(916) of this rule on their person while engaging in the business of servicing, testing, repairing or installing fire protection or fire-fighting equipment for profit and produce the certificate for inspection upon request by the fire code official.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Must	916.12 A provisional individual must be supervised by a certified individual at all times such provisional individual is engaging in work requiring certification.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B), (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.12 The certified individual directly supervising the individual issued the provisional certificate shall only supervise one provisional certificate holder while engaging in work requiring certification.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B), (C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.12 The certified individual directly supervising the provisional certificate holder shall possess a valid and current certificate for the certification category of the work being performed.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B), (C)	Yes, state law	Yes, state law
1301:7-7-09	Shall	916.13 Applications for certification and renewals shall be made on forms provided by the state fire marshal.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.13 All applications and renewals shall be accompanied by the appropriate fee, to be made payable to "Treasurer, State of Ohio."	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.14 Original application for certification and renewal of an individual or provisional individual shall, at a minimum, include the following: [information specified in rule]	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.15 Fees for an individual or provisional certification shall be as follows:	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.15 (a) Original application of an individual or provisional individual shall be thirty-five dollars for each category for which certification is sought;	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.15 (b) Renewal of an individual or provisional individual shall be forty dollars;	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.15 (c) An application for a duplicate license shall be made in writing to the state fire marshal.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.15 (c) The application for a duplicate license shall be accompanied by a ten-dollar fee.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Must	916.16 Applications for renewal must be received by the state fire marshal prior to the expiration date.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.17 Upon expiration of certification, all applications for renewal will be considered as a new application and the applicant shall be required to pass a fire protection installer examination administered by the state fire marshal prior to certification.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.19 Original application for certification and renewal of a company shall, at a minimum, include the following: [as specified in rule]	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.20 Fees for a company certification shall be as follows:	3737.22(A) 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.20 (a) Original application of a company shall be two hundred dollars, except that an individual operating as a company shall be required to pay a fee of fifty dollars.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.20 (a) Original application of a company shall be two hundred dollars, except that an individual operating as a company shall be required to pay a fee of fifty dollars.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.20 (b) Renewal of a company shall be one hundred fifty dollars, except that an individual operating as a company shall be required to pay a fee of twenty-five dollars.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.20 (b) Renewal of a company shall be one hundred fifty dollars, except that an individual operating as a company shall be required to pay a fee of twenty-five dollars.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.20 (b) All renewal applications not submitted prior to the date of expiration, shall pay new application fees in accordance with paragraph (P)(20)(a)(916.20) of this rule.	3737.22, 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.20 (c) An application for a duplicate license shall be made in writing to the state fire marshal.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-09	Shall	916.20 (c) The application for a duplicate license shall be accompanied by a ten-dollar fee.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.20 (d) <i>The original application for a company branch certificate shall be made in writing to the state fire marshal.</i>	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.20 (d) The application fee for a company branch certificate shall be ten dollars per company branch certificate.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.20 (d)(i) A company branch certificate status is contingent upon the status of the company and shall only operate if the company maintains a valid certificate.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.21 All company certification licenses expire June thirtieth of each year. Renewal shall be pursuant to standard renewal procedure.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.21 Upon expiration of certification, all applications for renewal received by the state fire marshal thereafter shall be considered as a new application and the company applicant shall pay new application fees in accordance with paragraph (P)(20)(916.20) of this rule.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.21 Upon expiration of certification, all applications for renewal received by the state fire marshal thereafter shall be considered as a new application and the company applicant shall pay new application fees in accordance with paragraph (P)(20)(916.20) of this rule.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.22 Any certified individual or certified company that changes its primary mailing address as previously filed with the state fire marshal or that experiences expiration of required insurance coverage, shall submit written notification of such change of address or insurance expiration to the state fire marshal within thirty days of the change of address or insurance expiration.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.22 A certified company or the company branch shall submit written notification to the state fire marshal of a company branch office's address change or closure within thirty days of such change or closure.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.24 The state fire marshal shall comply with the provisions of Chapter 119. of the Revised Code whenever denying, suspending or revoking a certificate pursuant to paragraph (P)(23)(916.23) of this rule.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	Shall	916.26 If an application for certification is denied, or if a certification issued pursuant to paragraph (P)(916) of this rule is suspended or revoked, the company, company branch, or individual shall immediately cease engaging in the business of servicing, testing, repairing or installing fire protection or fire-fighting equipment for profit.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-09	May not	916.26 If a certification is denied, suspended or revoked, that company or a company that had its certification denied, suspended or revoked, or an individual who had their certification denied, suspended or revoked, may not reapply for certification pursuant to paragraph (P)(916) of this rule until the suspension is lifted or until two years expire from the date of denial or revocation of certification.	3737.22(A), 3737.82, 3737.83(A), 3737.65(A), (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1001.1 General. Buildings or portions thereof shall be provided with a means of egress system as required by this rule and in compliance with accessibility requirements as set forth in chapter 11 of the building code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1001.1 General. Except for maintenance requirements contained in paragraph (EE)(1031) of this rule, the provisions of this rule for a means of egress system in existing buildings shall apply only in accordance with paragraph (B)(1)(c)(102.1) of rule 1301:7-7-01 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1004.2 Increased occupant load. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the increased occupant load shall be approved by the fire code official.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1004.5 Outdoor areas. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the occupant load shall be approved by the fire code official.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1009.6.5.1 Testing and maintenance. All two-way communication systems shall be tested in the presence of the fire code official upon completion of installation.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1009.6.5.1 Testing and maintenance. Communication systems shall be inspected and tested in accordance with NFPA 72 as listed in rule 1301:7-7-80 of the Administrative Code to verify that all components are operational.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-10	Shall	1010.1.3 Door opening force. Doors required to be accessible shall comply with accessibility requirements as set forth in chapter 11 of the building code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1010.1.3 Door opening force. Doors not required to be accessible or for which accessibility requirements as set forth in chapter 11 of the building code as listed in rule 1301:7-7-80 of the Administrative Code has no requirements, shall comply with the following: [as specified in rule]	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1010.1.9.5.1 Closet and bathroom doors in Group R-4 occupancies. In Group I-1 and Group R-4 occupancies, closet doors that latch in the closed position shall be operable from inside the closet, and bathroom doors that latch in the closed position shall be capable of being unlocked from the ingress side.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1010.1.9.5.1 Closet and bathroom doors in Group R-4 occupancies. In <i>Group I-1 and</i> Group R-4 occupancies, closet doors that latch in the closed position shall be <i>operable</i> from inside the closet, and bathroom doors that latch in the closed position shall be capable of being unlocked from the ingress side.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1010.1.9.6 Controlled egress doors in Groups I-1 and I-2. Controlled egress doors shall be permitted in such occupancies where the building is equipped throughout with an automatic sprinkler system in accordance with paragraph (C)(3)(a)(i)(903.3.1.1) of rule 1301:7-7-09 of the Administrative Code or an approved automatic smoke or heat detection system installed throughout the locked space in accordance with paragraph (G)(907) of rule 1301:7-7-09 of the Administrative Code, provided that the doors are installed and operate in accordance with all of the following: [as specified in rule]	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1010.1.9.7 Delayed egress. [locking system] (i) The procedures for the operation(s) of the unlocking system shall be described and approved as part of the emergency planning and preparedness required by rule 1301:7-7-04 of the Administrative Code.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1010.1.9.7 Delayed egress. [locking system] (j) All clinical staff shall have the keys, codes or other means necessary to operate the locking devices.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1023.9.1 Signage requirements. Stairway identification signs shall comply with chapter 11 of the building code as listed in rule 1301:7-7-80 of the Administrative Code and all of the following requirements: [as specified in rule]	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall not	1027.2 Use in a means of egress. Exterior exit stairways shall not be used as an element of a required means of egress for <i>Group I-2, I-4 and daycare facilities in Group E</i> occupancies.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1027.2 Use in a means of egress. For occupancies in other than Group I-2, I-4 and daycare facilities in Group E occupancies, exterior exit stairways and ramps shall be permitted as an element of a required means of egress for buildings not exceeding six stories above grade plane or that are not high-rise buildings.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1029.6.2 Smoke-protected assembly seating. A life safety evaluation, complying with section 12.4.1 of the building code as listed in rule 1301:7-7-80 of the Administrative Code or section 13.4.1 of NFPA 101 as listed in rule 1301:7-7-80 of the Administrative Code or other approved method, shall be done for a facility utilizing the reduced width requirements of Table 1029.6.2 of this rule for smoke-protected assembly seating.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-10	Shall	1031.2.1 Security device. Any security device or system that emits any medium that could obscure a means of egress in any building, structure or premise shall be prohibited.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-11	Shall not	1101.1 Scope. The provisions of this rule shall not apply to existing buildings unless the conditions at the building constitute a distinct hazard to life or property in the opinion of the fire code official in accordance with paragraph (B)(1)(c)(102.1) of rule 1301:7-7-01 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-11	Shall	1101.1 Scope. Exceptions: 1. The provisions of paragraph (D)(1104) of this rule shall apply to all existing buildings.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-11	Shall	1101.1 Scope. Exceptions: 2. The provisions of paragraph (C)(9)(1103.9) of this rule shall apply to all existing occupancies identified in paragraph (C)(9)(1103.9) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-11	Shall	1103.9 Carbon monoxide alarms. On or before January 1, 2019, existing Group I-1, I-2, I-4, R and E occupancies shall be equipped with carbon monoxide alarms in accordance with paragraph (O)(915) of rule 1301:7-7-09 of the Administrative Code, except that the carbon monoxide alarms shall be allowed to be solely battery operated.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-11	Shall	1103.9 Carbon monoxide alarms. On or before January 1, 2019, existing Group I-1, I-2, I-4, R and E occupancies shall be equipped with carbon monoxide alarms in accordance with paragraph (O)(915) of rule 1301:7-7-09 of the Administrative Code, except that the carbon monoxide alarms shall be allowed to be solely battery operated.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2301.1 Scope. Automotive motor fuel-dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities, service stations at bulk plants, aircraft motor-vehicle fuel-dispensing facilities and repair garages shall be in accordance with this rule, NFPA 30, NFPA 30A, the International Fuel Gas Code, the building code, and the mechanical code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3741.14(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-23	Shall not	2301.1.1. Notwithstanding paragraphs (B)(1)(102.1) and (B)(2)(102.2) of rule 1301:7-7-01 of the Administrative Code and unless otherwise noted in this rule, the provisions of this rule shall not apply to facilities, equipment, structures or installations existing or approved for construction or installation prior to the effective date of this rule, except in those cases where the fire code official demonstrates by a preponderance of the evidence that the existing facility, equipment, structure or installation creates a distinct hazard to life or adjacent property.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	Yes, state law
1301:7-7-23	Shall	2301.2 Permits. In accordance with paragraph (E)(1)(a)(105.1.1) of rule 1301:7-7-01 of the Administrative Code, permits required for the installation, alteration, abandonment, removal or to place temporarily out of service a stationary flammable or combustible liquid storage tank shall be obtained from the fire marshal when such permits are required by this code and are not issued by another officer listed in section 3737.14 of the Revised Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2303.2 Emergency disconnect switches. The emergency disconnect switch for exterior fuel dispensers shall be located outside and within 100 feet (30 480 mm) of, but not less than 20 feet (6096 mm) from, the fuel dispensers.	3737.22(A), 3737.82, 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.2 Attended self-service motor fuel-dispensing facilities. Attended self-service motor fuel-dispensing facilities shall comply with <i>paragraphs (D)(2)(a)(2304.2.1) to (D)(2)(k)(2304.2.11) of this rule, NFPA 30A as listed in division (A) of section 3741.14 of the Revised Code, and the "Occupational Safety and Health Act of 1970" and any amendments thereto or standards as may be adopted by the state fire marshal pursuant to division (B) of section 3741.14 of the Revised Code.</i>	3737.22(A), 3737.82, 3741.14(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-23	Shall	2304.2.3 Operating instructions. Signs providing dispenser operating instructions shall be conspicuously posted in approved locations on every dispenser.	3737.22(A), 3737.82, 3741.14(B)	Yes, state law	Yes, state law
1301:7-7-23	Shall	2304.2.5 Communications. A telephone or other approved method of communicating with the fire department shall be provided for the attendant.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.2.6 Smoking prohibited. Gasoline and other flammable or combustible liquids shall be dispensed only by a person who is not smoking.	3737.22(A), 3737.82, 3741.14(B)	Yes, state law	Yes, state law
1301:7-7-23	Shall	2304.2.6 Smoking prohibited. Smoking shall be prohibited in the dispensing area.	3737.22(A), 3737.82, 3741.14(B)	Yes, state law	Yes, state law
1301:7-7-23	Shall	2304.2.7 Signage. A sign in block letters at least four inches in height shall be conspicuously displayed on each gasoline pump island where self-service is offered stating that it is a self-service island.	3737.22(A), 3737.82, 3741.14(B)	Yes, state law	Yes, state law
1301:7-7-23	Shall	2304.2.8 Signage material. All signs required by paragraphs (D)(2)(c)(2304.2.3), (D)(2)(g)(2304.2.7) and (D)(3)(e)(2304.3.5) of this rule shall be constructed of rigid, weather-resistant material.	3737.22(A), 3737.82, 3741.14(B)	Yes, state law	Yes, state law
1301:7-7-23	Shall	2304.2.9 Attendant training. It shall be the responsibility of the operator of the motor fuel dispensing facility to see that all attendant employees are properly trained in handling emergencies of a flammable fuel type.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.2.10 Codes and standards. It shall be the responsibility of the operator of the motor fuel dispensing facility to see that all attendant employees read and be familiar with applicable codes and standards.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.2.11 Dispensing devices. Existing listed or labeled dispensing devices shall be permitted to be modified provided that the modifications made are "Listed by Report" by an approved testing laboratory or as otherwise approved by the fire code official.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.2.11 Dispensing devices. Modification proposals shall contain a description of the component parts used in the modification and the recommended methods of installation on specific dispensing devices.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-23	Shall	2304.2.11 Dispensing devices. Modification proposals shall be made available to the fire code official upon request.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.3 Unattended self-service motor fuel-dispensing facilities. Unattended self-service motor fuel-dispensing facilities shall comply with paragraphs (D)(3)(a)(2304.3.1) to (D)(3)(m)(2304.3.13) of this rule, NFPA 30A as listed in division (A) of section 3741.14 of the Revised Code and the "Occupational Safety and Health Act of 1970" and any amendments thereto or standards as may be adopted by the state fire marshal pursuant to division (B) of section 3741.14 of the Revised Code.	3737.22(A), 3737.82, 3741.14(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-23	Shall not	2304.3 Unattended self-service motor fuel-dispensing facilities. This paragraph shall not apply to an unattended fleet vehicle motor fuel dispensing facility.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.3.2 Dispensers. Only card operated dispensing devices approved by authoritative sources listed in rule 1301:7-7-01 of the Administrative Code shall be used.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO QUANTITY LIMITS SET FORTH IN THE CODE: 2304.3.7 Quantity limits. Exception: This paragraph shall not apply to fixed dispensing equipment at an unsupervised location at an airport that is used to dispense fuel directly into the fuel tank of an aircraft.	3737.22(A), 3737.82, 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.3.8 Spill containment. Containment of small spills shall be controlled by grading the pavement away from the building and scoring the pavement or may be done by the use of an oil/water separator.	3737.22(A), 3737.82, 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.3.9 Dispensing devices. Existing listed or labeled dispensing devices shall be permitted to be modified provided that the modifications made are "Listed by Report" by an approved testing laboratory or as otherwise approved by the fire code official.	3737.22(A), 3737.82, 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.3.9 Dispensing devices. Modification proposals shall contain a description of the component parts used in the modification and the recommended methods of installation on specific dispensing devices.	3737.22(A), 3737.82, 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.3.9 Dispensing devices. Modification proposals shall be made available to the fire code official upon request.	3737.22(A), 3737.82, 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.3.10 Smoking prohibited. Gasoline and other flammable or combustible liquids shall be dispensed only by a person who is not smoking.	3737.22(A), 3737.82, 3741.14(B)	Yes, state law	Yes, state law
1301:7-7-23	Shall	2304.3.10 Smoking prohibited. Smoking shall be prohibited in the dispensing area.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	<i>2304.3.11 Required fire protection . In addition to fire protection equipment otherwise required by this code, an unattended motor fuel-dispensing facility shall also include automatic fixed suppression systems, and automatic fire detection, and transmission of an alarm to an off-site approved supervising station in accordance with paragraph (C)(4)(a)(903.4.1) of rule 1301:7-7-09 of the Administrative Code.</i>	3737.22(A), 3737.82, 3737.83(A), 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO REQUIRED FIRE PROTECTION AT UNATTENDED MOTOR FUEL-DISPENSING FACILITIES: 2304.3.11 Required fire protection. Exceptions: 1. That portion of an unattended motor fuel-dispensing facility that is exclusively used to dispense fuel directly from fixed dispensing equipment into the fuel tank of aircraft shall not be required to have an automatic fixed suppression or automatic fire detection system.	3737.22(A), 3737.82, 3737.83(A), 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO REQUIRED FIRE PROTECTION AT UNATTENDED MOTOR FUEL-DISPENSING FACILITIES: 2304.3.11 Required fire protection. Exceptions: 2. That portion of an unattended motor fuel-dispensing facility that is exclusively used to dispense fuel directly from fixed dispensing equipment into the fuel tank of aircraft shall not be required to have transmission of an alarm to an off-site approved supervising station provided that the facility installs a telephone line or call box that complies with all of the following:	3737.22(A), 3737.82, 3737.83(A), 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-23	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO REQUIRED FIRE PROTECTION AT UNATTENDED MOTOR FUEL-DISPENSING FACILITIES: 2304.3.11 Required fire protection. Exceptions: 2.1 An operational and fully functioning telephone or call box shall be not less than 20 feet but not more than 100 feet from each dispensing location;	3737.22(A), 3737.82, 3737.83(A), 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO REQUIRED FIRE PROTECTION AT UNATTENDED MOTOR FUEL-DISPENSING FACILITIES: 2304.3.11 Required fire protection. Exceptions: 2.2 Each telephone or call box shall either provide a direct line to an off-site approved supervising station or to an approved emergency response authority;	3737.22(A), 3737.82, 3737.83(A), 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO REQUIRED FIRE PROTECTION AT UNATTENDED MOTOR FUEL-DISPENSING FACILITIES: 2304.3.11 Required fire protection. Exceptions: 2.3 Each telephone or call box shall be properly and conspicuously identified;	3737.22(A), 3737.82, 3737.83(A), 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO REQUIRED FIRE PROTECTION AT UNATTENDED MOTOR FUEL-DISPENSING FACILITIES: 2304.3.11 Required fire protection. Exceptions: 2.4 Each telephone or call box shall not require a coin or other form of payment to operate; and	3737.22(A), 3737.82, 3737.83(A), 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO REQUIRED FIRE PROTECTION AT UNATTENDED MOTOR FUEL-DISPENSING FACILITIES: 2304.3.11 Required fire protection. Exceptions: 2.5 The telephone or call box shall be installed at a location that complies with the above and that is approved by the fire code official.	3737.22(A), 3737.82, 3737.83(A), 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall not	2304.3.11.1 Compressed natural gas facilities. The requirement for an automatic fixed suppression system shall not apply to that portion of an unattended, open to the public motor fuel-dispensing facility where CNG is dispensed if all of the following apply:	3737.22(A), 3737.82, 3737.83(A), 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.3.12 Signage. Signs shall be provided in accordance with paragraphs (D)(2)(c)(2304.2.3), (D)(2)(g)(2304.2.7) and (D)(3)(e)(2304.3.5) of this rule.	3737.22(A), 3737.82, 3741.14(B)	Yes, state law	Yes, state law
1301:7-7-23	Shall	2304.3.13 Signage material. All signs required by paragraph (D)(3)(l)(2304.3.12) of this rule shall be constructed of rigid, weather-resistant material.	3737.22(A), 3737.82, 3741.14(B)	Yes, state law	Yes, state law
1301:7-7-23	Shall not	2304.4.1 Approved containers required. Class I, II and IIIA liquids shall not be dispensed into a portable container unless such container is properly constructed of metal or other material approved by the fire code official, does not exceed a 6-gallon (22.7 L) capacity and has a tight closure with a screwed or spring-loaded cover so designed that the contents can be dispensed without spilling.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2304.4.2 Nozzle operation. No person shall utilize the automatic latch-open device during the dispensing operation.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2305.1.2 Tank capacity calculation. The driver, operator or attendant of a tank vehicle shall, before making delivery to a tank, determine the unfilled, available capacity of such tank in accordance with accepted industry practices.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2305.2.1 Inspections. Records of inspections shall be maintained in accordance with paragraph (G)(3)(107.3) of rule 1301:7-7-01 of the Administrative Code.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2305.6 Warning signs. As required by section 3741.14 of the Revised Code, signs bearing the following words in block letters shall be conspicuously posted on each gasoline pump island where self-service is offered: [as specified in rule and statute]	3737.22(A), 3737.82, 3741.14(B)	Yes, state law	Yes, state law
1301:7-7-23	Must	2305.6 Warning signs. (d) "PERSONS USING DISPENSERS WITH HOLD-OPEN LATCHES MUST REMAIN AT THE REFUELING POINT DURING REFUELING"	3737.22(A), 3737.82, 3741.14(B)	Yes, state law	Yes, state law
1301:7-7-23	Shall	2305.6 Warning signs. Such signs shall also state: [as specified in rule]	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-23	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO SIGNAGE REQUIREMENTS: 2305.6 Warning signs. Exception: Signs installed at dispensers prior to July 1, 2018 containing language that is substantially similar to items (a) to (h) of this paragraph shall be deemed as compliant with this code.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.2 Method of storage. Storage of Class I, II and IIIA flammable or combustible liquids at motor fuel-dispensing facilities to which the public does not have access, shall be stored in aboveground tanks in accordance with paragraphs (F)(2)(a)(2306.2.1) of this rule or stored in underground tanks in accordance with Chapter 1301:7-9 of the Administrative Code.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.2 Method of storage. At motor fuel-dispensing facilities to which the public has access the only approved method of storage shall be in underground tanks in accordance with Chapter 1301:7-9 of the Administrative Code.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO STORAGE REQUIREMENTS: 2306.2 Method of storage.Exception: Where approved by the fire code official in accordance with paragraph (J)(1)(2310.1) of this rule, the approved method of storage of Class I, II and IIIA flammable or combustible liquids at marine motor fuel-dispensing facilities shall be in accordance with paragraphs (F)(2)(a)(2306.2.1) to (F)(2)(f)(2306.2.6) of this rule.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall not	2306.2.3 Above-ground tanks located outside, above grade. Existing aboveground tank installations, even if previously approved, that are determined to constitute a hazard by the fire code official shall not be continued in service.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.2.3 Above-ground tanks located outside, above grade. Unsafe tanks shall be removed as required by the fire code official and in accordance with this code.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.2.3 Above-ground tanks located outside, above grade. (iv) Tanks located at areas used for agricultural purposes and construction projects shall comply with paragraph (F)(2)(5706.2) of rule 1301:7-7-57 of the Administrative Code.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.3 Security. Tanks shall be enclosed with a chain link fence at least 6 feet (1.8 m) high.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.3 Security. The fence shall be separated from the tanks by at least 3 feet (0.9 m) and shall have a gate that is secured against unauthorized entry.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.3 Security. The fence shall be separated from the tanks by at least 3 feet (0.9 m) and shall have a gate that is secured against unauthorized entry.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.7.7.1 Leak detection. Where remote pumps are used to supply fuel dispensers, each pump shall have installed on the discharge side a listed leak detection device that will detect a leak in the piping and provide an indication to alert the operator of the presence of a leak.	3737.22(A), 3737.82, 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.7.9.1 Vapor-recovery systems. Vapor-recovery systems shall comply with paragraphs (F)(7)(i)(a)(2306.7.9.1.1) to (F)(7)(i)(e)(2306.7.9.1.5) of this rule.	3737.22(A), 3737.82, 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.7.9.1.1 Dispensing devices. Where existing listed or labeled dispensing devices are modified for vapor recovery, such modifications shall be listed by report by a nationally recognized testing laboratory or by an authoritative source listed in rule 1301:7-7-01 of the Administrative Code.	3737.22(A), 3737.82, 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.7.9.1.2 Vapor-return line closeoff. A means shall be provided to prevent the discharge of vapor from dispensers when the product is not being dispensed.	3737.22(A), 3737.82, 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.7.9.2.2 Location. Sources of ignition shall be located not less than 20 feet (6096 mm) from fuel-transfer areas and not less than 18 inches (457 mm) above tank fill openings and tops of dispenser islands.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.7.9.2.4 Piping. Piping for vapor processing systems shall be in accordance with paragraph (C)(6)(5703.6) of rule 1301:7-7-57 of the Administrative Code.	3737.22(A), 3737.82, 3741.14(B), 3737.83(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.8 Fuel-dispensing systems for alcohol blended fuels. The design, fabrication and installation of fuel-dispensing systems for alcohol blended fuels shall be in accordance with paragraphs (F)(7)(2306.7) and paragraphs (F)(8)(a)(2306.8.1) to (F)(8)(e)(2306.8.5) of this rule.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.8.1 Listed equipment. Hoses, nozzles, breakaway fittings, swivels, flexible connectors or dispenser emergency shutoff valves, vapor recovery systems, leak detection devices and pumps used in alcohol-blended fuel-dispensing systems shall be listed for the specific purpose and approved as that term is defined in this rule.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-23	Shall	2306.8.3 Facility identification. Facilities dispensing alcohol-blended fuels shall be identified by marking the fill pipes in accordance with API 1637 as listed in rule 1301:7-7-80 of the Administrative Code or an approved means.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2306.8.4 Marking. As approved by the state fire marshal dispensers shall be marked to identify the types of alcohol blended fuels to be dispensed.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2310.1 General. [Marine motor fuel-dispensing facilities] The request to install such aboveground tanks shall be accompanied by a site survey which supports the request.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2310.1 General. [Marine motor fuel-dispensing facilities] The survey shall be prepared by a registered professional engineer of the appropriate discipline.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2310.3.5 Liquefied petroleum gas. Storage facilities for LP-gas cylinders shall be provided in accordance with paragraph (G)(2307) of this rule.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2311.2.2 Waste oil, motor oil and other Class IIIB liquids. Waste oil, motor oil and other Class IIIB liquids shall be stored in tanks or containers approved in accordance with rule 1301:7-7-57 of the Administrative Code, which are allowed to be stored and dispensed from inside repair garages.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2311.7.2.3 Failure of the gas detection system. Failure of the gas detection system shall result in the deactivation of the heating system, activation of the mechanical ventilation system where the system is interlocked with gas detection and causes a trouble signal to sound in an occupied area or other location approved by the fire code official.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2312.1 General. That portion of a bulk plant property where flammable or combustible liquids are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles, marine craft or approved containers shall comply with this paragraph and NFPA 30A as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO RULE APPLICATION: 2312.1 General. Exception: The dispensing of diesel fuel at a terminal or bulk plant into a motor vehicle that is transporting petroleum products or equipment essential to the operation of the terminal or bulk plant, provided that the motor vehicle is owned or leased by or operated under a contract with a person who has been issued a motor fuel dealers license under section 5735.02 of the Revised Code. For such dispensing, the provisions of this rule governing capacity limitations shall not apply.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2312.2 Separation. All equipment utilized in connection with the storage and dispensing operations of a motor fuel-dispensing facility shall be separated by a minimum of 100 feet from the area in which aboveground bulk plant operations are conducted and by a security fence.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2312.2 Separation. Any gates in the required fence shall be secured against unauthorized entry.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall	2312.3 Independent operations. Motor fuel-dispensing facility operations shall be totally independent of the bulk plant operations to include:	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall not	2312.3 Independent operations. (a) Above-ground tanks located in the bulk plant shall not supply dispensing devices at the motor fuel-dispensing facility.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-23	Shall not	2312.3 Independent operations. (b) Storage tanks at the motor fuel-dispensing facility shall not be connected by piping to aboveground tanks located in the bulk plant.	3737.22(A), 3737.82, 3741.14(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-31	Shall	3103.8.6 Fire break. An unobstructed fire break passageway or fire road not less than 12 feet (3658 mm) wide and free from guy ropes or other obstructions shall be maintained on all sides of all tents and membrane structures unless otherwise approved by the fire code official <i>and the building code official in accordance with the applicable requirements of the building code as listed in rule 1301:7-7-80 of the Administrative Code</i> .	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-31	Shall	3104.15.1 Installation. Heating or cooking equipment, tanks, piping, hoses, fittings, valves, tubing and other related components shall be installed as specified in the mechanical code and the International Fuel Gas Code as listed in rule 1301:7-7-80 of the Administrative Code, and shall be approved by the fire code official <i>and the building code official in accordance with the applicable requirements of the building code as listed in rule 1301:7-7-80 of the Administrative Code</i> .	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-31	Shall	3104.15.1 Installation. Heating or cooking equipment, tanks, piping, hoses, fittings, valves, tubing and other related components shall be installed as specified in the mechanical code and the International Fuel Gas Code as listed in rule 1301:7-7-80 of the Administrative Code, and shall be approved by the fire code official <i>and the building code official in accordance with the applicable requirements of the building code as listed in rule 1301:7-7-80 of the Administrative Code.</i>	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-34	Shall	3405.1 Individual piles. Tire storage shall be restricted to individual piles not exceeding 2,500 square feet (232 m ²) of continuous area unless a larger area is specifically authorized in accordance with Chapter 3734. of the Revised Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-34	Shall not	3405.1 Piles shall not exceed 20,000 cubic feet (566 m ³) in volume or 8 feet (2438 mm) in height unless a larger area is specifically authorized in accordance with Chapter 3734. of the Revised Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-34	Shall	3405.2 Separation of piles. Individual tire storage piles shall be separated from other piles by a clear space of not less than 56 feet (17 069 mm).	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-34	Shall	3405.2 Exception: If the total number of tires in the pile is 500 or less, the individual storage piles shall be separated from other piles of salvage by a clear space of at least 25 feet (7620 mm).	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-34	Shall	3405.3 Distance between piles of other stored products. Tire storage piles shall be separated by a clear space of not less than 56 feet (17 069 mm) from piles of other stored product.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-34	Shall	3405.3 Exception: If the total number of tires in the pile is 500 or less, the tire storage piles shall be separated by a clear space of at least 25 feet (7620 mm) from piles of other stored product.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-34	Shall	3405.4 Distance from lot lines and buildings. Tire storage piles shall be located not less than 56 feet (17 069 mm) from lot lines and buildings.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-34	Shall	3405.4 Exception: If the total number of tires in the pile is 500 or less, the tire storage piles shall be located at least 25 feet (7620 mm) from lot lines and buildings.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-34	Shall	3405.5 Fire breaks. Storage yards shall be maintained free from combustible ground vegetation for a distance of 56 feet (17 069 mm) from the stored material to grass and weeds, brush and forested areas.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-39	Shall	3901.4. All plant processing or extraction facilities subject to both this rule and Chapter 3796. of the Revised Code shall be inspected by the state fire marshal to determine facility and operational compliance with this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-39	Shall	3901.4 Such inspections shall initially occur in coordination with the medical marijuana processor license application process described in rule 3796:3 of the Administrative Code and recur at least annually thereafter.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-39	Shall	3904.2 For systems and equipment not listed for the specific use, a technical report in accordance with paragraph (D)(3)(3904.3) of this rule shall be prepared and submitted to the state fire marshal for review and approval.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-39	Shall	3904.2 The firm or individual preparing the technical report shall be approved by the state fire marshal prior to performing the analysis.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-39	Shall	3904.3 The report shall be prepared by a registered design professional or other professional approved by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-39	Shall	3904.4 Site inspection. Prior to operation of the extraction equipment, where required by the state fire marshal, the engineer of record or approved professional, as approved in paragraph (D)(2)(3904.2) of this rule shall inspect the site of the extraction process once equipment has been installed for compliance with the technical report and the building analysis.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-39	Shall	3904.4 The engineer of record or approved professional shall provide a report of findings and observations of the site inspection to the state fire marshal prior to the approval of the extraction process.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5001.1 This rule shall apply to all hazardous materials, including those materials regulated elsewhere in this code, except that where specific requirements, exceptions or exemptions are provided in other rules, those specific requirements shall take precedence over the similar requirements of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-50	Shall	5001.1 This rule shall apply to all hazardous materials, including those materials regulated elsewhere in this code, except that where specific requirements, exceptions or exemptions are provided in other rules, those specific requirements shall take precedence over the similar requirements of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall not	5001.1.2. Notwithstanding paragraphs (B)(1)(102.1) and (B)(2)(102.2) of rule 1301:7-7-01 of the Administrative Code and unless otherwise noted in this rule, the provisions of this rule relating to motor fuel-dispensing facilities and flammable and combustible liquids as otherwise regulated in rules 1301:7-7-23 and 1301:7-7-57 of the Administrative Code shall not apply to facilities, equipment, structures or installations existing or approved for construction or installation prior to the effective date of this rule, except in those cases where the fire code official demonstrates by a preponderance of the evidence that the existing facility, equipment, structure or installation creates a distinct hazard to life or adjacent property.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Require	5001.5 When a permit is required to permanently close a storage, use or handling facility, the fire code official is authorized to require that the application be accompanied by a facility closure plan in accordance with paragraph (A)(6)(c)(5001.6.3) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5001.6.1 Temporarily out-of-service facilities. Facilities that are temporarily out of service shall continue to be monitored and inspected in accordance with the requirements of this code and any required permits.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5001.6.2 Permanently out-of-service facilities. Facilities not monitored and inspected on a regular basis in accordance with the requirements of this code and any required permits shall be deemed to be permanently out of service and shall be closed in an approved manner.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5001.6.2 Permanently out-of-service facilities. Facilities not monitored and inspected on a regular basis in accordance with the requirements of this code and any required permits shall be deemed to be permanently out of service and shall be closed in an approved manner.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5001.6.2 Where required by the fire code official, the responsible person shall apply for approval to permanently close storage, use or handling facilities.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Require	5001.6.2 The fire code official is authorized to require that such application be accompanied by a facility closure plan in accordance with paragraph (A)(6)(c)(5001.6.3) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	Table 5003.1.1(1) FN r For material classified as consumer fireworks by DOTn and exempted from regulation as fireworks pursuant to section 3743.80 of the Revised Code, such novelties and trick noisemakers and wire sparklers as defined in section 3743.01 of the Revised Code and labeled as 1.4G materials by DOTn shall have a maximum allowable quantity per control area of 125 pounds.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5003.2.1 Design and construction of containers, cylinders and tanks. Containers, cylinders and tanks shall be designed and constructed in accordance with this code and other approved standards.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5003.2.2 Piping, tubing, valves and fittings. Piping, tubing, valves and fittings conveying hazardous materials shall be designed and installed in accordance with this code or other approved standards and shall be in accordance with paragraphs (C)(2)(b)(i)(5003.2.2.1) and (C)(2)(b)(ii)(5003.2.2.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5003.2.2 Piping, tubing, valves and fittings. Piping, tubing, valves and fittings conveying hazardous materials shall be designed and installed in accordance with this code or other approved standards and shall be in accordance with paragraphs (C)(2)(b)(i)(5003.2.2.1) and (C)(2)(b)(ii)(5003.2.2.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5003.2.4.2 Aboveground tanks. Aboveground stationary tanks used for the storage of hazardous materials shall be located and protected in accordance with the requirements for outdoor storage of the particular material involved as provided by this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5003.3.1.1 Records. Records of the unauthorized discharge of hazardous materials by the responsible person shall be maintained.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall not	5003.6 Signs. Unless otherwise provided for in NFPA 704 as listed in rule 1301:7-7-80 of the Administrative Code, signs and markings required by paragraphs (C)(5)(5003.5) and (C)(5)(a)(5003.5.1) of this rule shall not be obscured or removed, shall be in English as a primary language or in symbols allowed by this code, shall be durable, and the size, color and lettering shall be approved.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-50	Shall	5003.6 Signs. Unless otherwise provided for in NFPA 704 as listed in rule 1301:7-7-80 of the Administrative Code, signs and markings required by paragraphs (C)(5)(5003.5) and (C)(5)(a)(5003.5.1) of this rule shall not be obscured or removed, shall be in English as a primary language or in symbols allowed by this code, shall be durable, and the size, color and lettering shall be approved.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5003.6 Signs. Unless otherwise provided for in NFPA 704 as listed in rule 1301:7-7-80 of the Administrative Code, signs and markings required by paragraphs (C)(5)(5003.5) and (C)(5)(a)(5003.5.1) of this rule shall not be obscured or removed, shall be in English as a primary language or in symbols allowed by this code, shall be durable, and the size, color and lettering shall be approved.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5003.6 Signs. Unless otherwise provided for in NFPA 704 as listed in rule 1301:7-7-80 of the Administrative Code, signs and markings required by paragraphs (C)(5)(5003.5) and (C)(5)(a)(5003.5.1) of this rule shall not be obscured or removed, shall be in English as a primary language or in symbols allowed by this code, shall be durable, and the size, color and lettering shall be approved.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5003.9.2 Security. Storage, dispensing, use and handling areas shall be secured against unauthorized entry and safeguarded against inappropriate public access.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5004.2.2.4 If the secondary containment area is open to rainfall, the secondary containment area shall be designed to include the volume of a 24-hour rainfall as determined by a 25-year storm and provisions shall be made to drain accumulations of groundwater and rainwater.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5004.2.2.4 If the secondary containment area is open to rainfall, the secondary containment area shall be designed to include the volume of a 24-hour rainfall as determined by a 25-year storm and provisions shall be made to drain accumulations of groundwater and rainwater.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-50	Shall	5004.11 Clearance from combustibles. The area surrounding an outdoor storage area or tank shall be kept clear of weeds, debris and other combustible materials not necessary to the storage for a minimum distance of 25 feet (7620 mm).	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.1 Scope. The provisions of paragraphs (A)(5601) to (G)(5607) of this rule shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials, matters described in section 3743.80 of the Revised Code and small arms ammunition.	3737.22(A), 3737.82, 3743.04(K), 3743.05, 3743.063743.18(A), 3743.53(A) and (B), 3743.58	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.1 The provisions referencing fireworks in paragraphs (A)(5601) to (E)(5605), (H)(5608) to (J)(5610) and (L)(5612) to (Y)(5625) of this rule shall govern the possession, manufacture, storage, handling, sale and use of fireworks.	3737.22(A), 3737.82, 3743.04(K), 3743.05, 3743.063743.18(A), 3743.53(A) and (B), 3743.58	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.1 The provisions of paragraph (K)(5611) of this rule shall govern the operation of flame effects.	3737.22(A), 3737.82,	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.1.3 Matters relating to the construction and operation of a fireworks retail showroom subject to sections 3743.04 (B) or 3743.25 of the Revised Code, including matters not address in NFPA 1124 (2015 edition) shall comply with NFPA 1124 (2006 Edition) as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.18(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5601.1.3 All other references to NFPA 1124 in this rule shall mean NFPA 1124 (2015 Edition) as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.18(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5601.1.3.2. A request for variance submitted pursuant to this rule shall only be considered upon production of any information or documentation requested by the state fire marshal.	3737.22(A), 3737.82, 3743.59	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.1.3.2. The particulars of such variance when granted shall be in writing, entered upon the records of the state fire marshal and furnished to the applicant and the authority having jurisdiction, if said authority is other than the state fire marshal.	3737.22(A), 3737.82, 3743.59	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.1.3.3. Unless otherwise stipulated by the state fire marshal upon the granting of a variance, each variance granted pursuant to this rule shall automatically terminate one year from the date of its issuance.	3737.22(A), 3737.82, 3743.59	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.1.3.4. There shall be no automatic renewals of any variance granted pursuant to this rule.	3737.22(A), 3737.82, 3743.59	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.1.3.4. Each variance shall be specifically applied for in writing by the requesting party and independently considered by the state fire marshal.	3737.22(A), 3737.82, 3743.59	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5601.2 Permits required for manufacture, processing and explosives storage and explosive material storage as set forth in rule 1301:7-7-01 of the Administrative Code shall be obtained from the state fire marshal.	3737.22(A), 3737.82, 2923.17(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5601.2 No permit shall be required under this code for any actions by a law enforcement agency taken pursuant to section 3743.68 of the Revised Code, including the confiscation, verification and testing, storage, or destruction of fireworks.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.2.1 Conditions for the issuance of a permit to manufacture, process or store explosives or explosive materials. No permit shall be issued for the manufacturing, processing or storage of explosives or explosive materials unless the following conditions are met: [as specified in rule]	3737.22(A), 3737.82, 3743.02	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.2.4 Permit restrictions. Exception: Permit limitations on the quantity of fireworks possessed or stored at a licensed premises for fireworks, as that term is defined in section 3743.01(BB) of the Revised Code, shall be approved by the state fire marshal before any enforcement of such provisions by a local fire code official.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.2.5 Financial Responsibility. Before a permit for the manufacture or processing of explosives or explosive materials, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property that arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.2.5 Government entities shall be exempt from the requirements of paragraph(A)(2)(e)(5601.2.5) of this rule, but are not exempt from the blasting or fireworks exhibition requirements of paragraph (A)(2)(e)(i)(5601.2.5.1) or (A)(2)(e)(ii)(5601.2.5.2).	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.2.5.2 Fireworks exhibition. <i>The applicant for a fireworks exhibition permit shall provide to the local fire official and law enforcement officer an indemnity bond in the amount of at least one million dollars with surety satisfactory to the fire official and law enforcement officer of the jurisdiction, conditioned for payment of all final judgments that may be rendered against the exhibitor on account of injury, death, or loss to persons or property emanating from the fireworks exhibition, or proof of insurance coverage of at least one million dollars for liability arising from injury, death, or loss to persons or property emanating from the fireworks exhibition.</i>	3737.22(A), 3737.82, 3743.54(D)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5601.2.6 Prohibition on permits and background check requirements. No person shall be eligible for a permit for the manufacture, processing or storage of explosives under this code if the individual has been convicted of or pled guilty to a felony under the laws of this state, another state, or the United States.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.2.6 All persons seeking a permit for the storage of explosives or explosive materials shall complete a civilian background check for criminal history as administered or approved by the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.2.6 Applicants shall, upon request of the state fire marshal, provide the state fire marshal with certified copies, or other similar documentation, relating to the individual's civilian criminal background check.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5601.4 Qualifications. Persons in charge of magazines, blasting, fireworks exhibition or pyrotechnic special effect operations shall not be under the influence of alcohol or drugs that impair sensory or motor skills, shall be not less than 21 years of age and shall demonstrate knowledge of all safety precautions related to the storage, handling or use of explosives, explosive materials or fireworks.	3737.22(A), 3737.82, 3743.64(F)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5601.4 Qualifications. Persons in charge of magazines, blasting, fireworks exhibition or pyrotechnic special effect operations shall not be under the influence of alcohol or drugs that impair sensory or motor skills, shall be not less than 21 years of age and shall demonstrate knowledge of all safety precautions related to the storage, handling or use of explosives, explosive materials or fireworks.	3737.22(A), 3737.82, 3743.64(F)	No, general rulemaking authority	Yes, state law
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1301:7-7-56	Shall	5601.7.1 Seizure of fireworks. The authority seizing any fireworks shall notify the state fire marshal not more than three days following the date of the seizure and shall state the reason for the seizure, as well as the quantity, type, and location of the fireworks.	3737.22(A), 3737.82, 3743.68(B)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5601.7.1 Seizure of fireworks. The authority seizing any fireworks shall notify the state fire marshal not more than three days following the date of the seizure and shall state the reason for the seizure, as well as the quantity, type, and location of the fireworks.	3737.22(A), 3737.82, 3743.68(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5601.7.1 Any fireworks seized pursuant to division (B) of section 3743.68 of the Revised Code shall be made in accordance with statutory and constitutional provisions governing searches and seizures by law enforcement officers.	3737.22(A), 3737.82, 3743.68(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5601.7.1 The state fire marshal's or certified fire safety inspector's office shall keep the seized fireworks pending the time they are no longer needed as evidence.	3737.22(A), 3737.82, 3743.68(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5601.7.2 Disposal of unneeded fireworks. Fireworks disposed of by the state fire marshal or certified fire safety inspector or law enforcement officer shall be in a manner prescribed by the state fire marshal after final determination by the court or upon final termination of proceedings, whichever is later and the state fire marshal or that office is not liable for claims for the loss of or damages to the seized fireworks.	3737.22(A), 3737.82, 3743.68(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5601.7.2 . If no proceedings are commenced pursuant to the rule, the state fire marshal may dispose of or order the disposal of the fireworks pursuant to Chapter 2981. of the Revised Code after all of the following: (vi) A disposal form shall be provided by the state fire marshal and such form shall be completed and state the specific total weight of the fireworks seized, the total weight of fireworks to be destroyed, and the total weight of the fireworks not to be destroyed.	3737.22(A), 3737.82, 3743.68(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5601.7.2 . If no proceedings are commenced pursuant to the rule, the state fire marshal may dispose of or order the disposal of the fireworks pursuant to Chapter 2981. of the Revised Code after all of the following: (vi) A disposal form shall be provided by the state fire marshal and such form shall be completed and state the specific total weight of the fireworks seized, the total weight of fireworks to be destroyed, and the total weight of the fireworks not to be destroyed.	3737.22(A), 3737.82, 3743.68(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5603.1 Records relating to the manufacturing, sale, transportation, shipping, storage and possession of fireworks shall be created, maintained and disposed of in accordance with the Revised Code and this rule.	3737.22(A), 3737.82, 3743.07, 3743.08, 3743.20, 3743.21	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5603.3.1 Fireworks. Manufacturers, wholesalers, shippers and exhibitors shall report any theft or loss of any fireworks to the local law enforcement agency within twenty-four hours after the discovery of the theft or loss and shall send a copy of the report prepared by the local law enforcement agency to the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5603.3.1 Fireworks. Manufacturers, wholesalers, shippers and exhibitors shall report any theft or loss of any fireworks to the local law enforcement agency within twenty-four hours after the discovery of the theft or loss and shall send a copy of the report prepared by the local law enforcement agency to the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5603.3.1 Fireworks. If such report is unavailable, the manufacturer, wholesaler, shipper or exhibitor shall notify the state fire marshal of the investigating law enforcement agency.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5603.3.1 Fireworks. In the event of such theft or loss of any fireworks or pyrotechnic devices, the local fire code official shall cooperate with the state fire marshal in conducting a joint investigation of the circumstances.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5603.4.1 Injury or damage report. The local fire code official shall immediately make a report to the state fire marshal when any fireworks related fire, explosion, unauthorized discharge, personal injury, or other significant fireworks incident occurs, including all fires, explosions, personal injuries received or resulting from fireworks at a manufacturing plant, wholesale facility, from a shipment of fireworks in transit, or from fireworks at an exhibition.	3737.22(A), 3737.82, 3743.541(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5603.4.1 The report shall provide the location where the fire, explosion, or injury occurred and the name, address and telephone number of any person injured as a result when such information is available.	3737.22(A), 3737.82, 3743.541(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Must	5603.4.1 The scene must be held until released by the state fire marshal.	3737.22(A), 3737.82, 3743.541(A), 3743.64(H)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5603.5 Misfires. The licensed exhibitor of fireworks or blaster in charge shall keep a record of all aerial shells that fail to fire or charges that fail to detonate.	3737.22(A), 3737.82, 3743.53(B) and (E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5604.9 Inspection. Magazines containing explosive materials shall be opened and inspected <i>by the permit holder</i> at maximum <i>intervals of seven</i> days.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5604.9 The permit holder shall document said inspections including the date of inspection, name of person conducting inspection and a verification of the inventory.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5604.9 The permit holder shall maintain such records for a minimum of one year and provide such documentation to the state fire marshal upon request.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Require	5604.9.1 If in the state fire marshal's discretion, the state fire marshal determines that conditions affecting the security of explosives exist that require more frequent inventory inspections, the permit holder shall conduct such inspections on a daily basis unless otherwise notified by the state fire marshal for the duration of the prevailing conditions.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5604.9.1 If in the state fire marshal's discretion, the state fire marshal determines that conditions affecting the security of explosives exist that require more frequent inventory inspections, the permit holder shall conduct such inspections on a daily basis unless otherwise notified by the state fire marshal for the duration of the prevailing conditions.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.1 Permit. A permit shall be obtained from the local fire official and law enforcement officer of the jurisdiction for any outdoor exhibition of 1.1G fireworks (UN0333), 1.2G fireworks (UN0334), 1.3G fireworks (UN0335), 1.4G fireworks (UN0336), 1.4G special effects fireworks (UN0432), 1.4S fireworks (UN0337) and 1.4S special effects fireworks (UN0432) fireworks and any indoor exhibition of 1.4G special effects fireworks (UN0432), 1.4S fireworks (UN0337) and 1.4S special effects fireworks (UN0432) pursuant to the applicable provisions of section 3743.54 of the Revised Code.	3737.22(A), 3737.82, 3743.54(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.1 The permit shall bear the signatures of the fire official and law enforcement official having jurisdiction and the licensed exhibitor applying to conduct the fireworks exhibition.	3737.22(A), 3737.82, 3743.54(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.1 The permit shall identify the certified fire safety inspector, fire chief, or fire prevention officer who will be present before, during, and after the fireworks exhibition, where appropriate.	3737.22(A), 3737.82, 3743.53(B), 3743.54(E)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.1.1 Permit form. The form for exhibition permit as prescribed by the state fire marshal shall be legibly and fully completed by the licensed exhibitor to clearly indicate the circumstances of the public fireworks exhibition the exhibitor wishes to conduct.	3737.22(A), 3737.82, 3743.53(B), 3743.54(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Must	5608.1.2 Approval. Before any fireworks exhibition permit issued under this rule is considered to be a valid permit to allow the licensed exhibitor to acquire fireworks and conduct a fireworks exhibition, the permit must be signed and dated by the local officials having jurisdiction.	3737.22(A), 3737.82, 3743.54(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5608.3 Fee. When the legislative authority of the political subdivision has prescribed a fee for the issuance of a permit for a fireworks exhibition, the fire official and law enforcement officer shall not issue such permit until the exhibitor pays the requisite fee and meets the financial responsibility requirements of paragraph (A)(2)(d)(ii)(5601.2.4.2) of this rule.	3737.22(A), 3737.82, 3743.53(B), 3743.54(D)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.4 Inspection of site. The fire chief or fire prevention officer of the authority having jurisdiction shall inspect the premises where the fireworks exhibition is to take place and determine whether the fireworks exhibition is in compliance with Chapter 3743. of the Revised Code and NFPA 1123 (Chapter 5, site selection) and the applicable portions of NFPA 1126 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.53(B), 3743.54(F)	Yes, both state and federal law	Yes, state law
1301:7-7-56	Shall	5608.4 The radius of separation distance between all mortars, racks or other points of fireworks discharge and any members of the public shall be measured, regardless of obstruction or other topographical features, as a direct point to point line of sight measurement.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.4 All such separation distances shall be measured from the same horizontal plane of elevation between the fireworks discharge point and members of the public.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.4 No members of the public shall, regardless of their relative difference in elevation from the horizontal plane of measurement, be permitted within the required radius of separation.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.4 The inspection shall be conducted prior to the issuance of the permit for a fireworks exhibition.	3737.22(A), 3737.82, 3743.53(B), 3743.54(F)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.5 Inspection checklist. At the time of the required site inspection, the fire chief or fire prevention officer, shall complete the required detailed inspection checklist as prescribed by the state fire marshal and set forth in the appendix to this rule.	3737.22(A), 3737.82, 3743.53(B), (E) and (F)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.5 If the exhibition is to be inspected is an outdoor exhibition, the fire chief or fire prevention officer shall complete the detailed inspection checklist, in consultation with a police chief or other similar chief law enforcement officer of a municipal corporation, township, or township police district or with a designee of such a police chief or other similar chief law enforcement officer.	3737.22(A), 3737.82, 3743.53(B), (E) and (F)	No, general rulemaking authority	Yes, state law

1301:7-7-56	Shall	5608.5 No exhibition of fireworks shall occur in this state until the licensed exhibitor possesses a copy of the appropriate checklist signed by the fire official and the licensed exhibitor.	3737.22(A), 3737.82, 3743.53(A), (E) and (F)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.6 Exhibitor's license requirement. No permit for a fireworks exhibition shall be granted unless the applicant is in possession of a valid license to exhibit fireworks issued by the state fire marshal.	3737.22(A), 3737.82, 3743.53(A), 3743.54(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.6 Each applicant for a permit shall show the applicant's license as an exhibitor of fireworks to the fire chief or fire prevention officer and, upon request to the police chief or other similar law enforcement officer.	3737.22(A), 3737.82, 3743.54(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.7.1 When an Ohio licensed exhibitor applies for the permit required by paragraph (H)(1)(5608.1) of this rule, the licensed exhibitor shall submit all of the following information to the local officials having jurisdiction over the exhibition.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.7.1 Such information shall include but not be limited to:	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.7.1.6 The manner and place of storage of all fireworks prior to and during the fireworks exhibition for all fireworks storage shall be in accordance with paragraph (J)(1)(5610.1) of this rule.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.7.1.7 The diagram shall also show the line barriers behind which the audience will be restrained.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Must	5608.7.1.7.1 For the indoor exhibition of fireworks, the diagram must include:	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.7.1.7.1 (ii) A description of the direction the devices shall be fired and the fallout radius for each device.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.7.1.7.1 (iii) The lines behind which the audience shall be restrained.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.7.2 The licensed exhibitor reflected on the fireworks exhibition permit at the time of the fireworks exhibition shall be responsible for compliance with the provisions under which the fireworks exhibition permit was granted.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.7.3 A copy of the issued permit and the completed inspection checklist shall be sent to the state fire marshal by the fire official no later than five days after the date of the fireworks exhibition.	3737.22(A), 3737.82, 3743.53(B) and (E)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.7.3 In the event of any incident resulting in an investigation or other inquiry by the state fire marshal or other authority having jurisdiction, the completed permit and the completed inspection checklist shall be made immediately available to the state fire marshal or other authority having jurisdiction upon request.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.9 Ceasing operations. Operations shall immediately cease and the fireworks exhibition shall be postponed when so ordered by the authority having jurisdiction or the licensed fireworks exhibitor due to unsafe conditions or operations, inclement weather, wind conditions, unsafe spectator conditions, or any other condition in violation of this rule.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.9 Ceasing operations. Operations shall immediately cease and the fireworks exhibition shall be postponed when so ordered by the authority having jurisdiction or the licensed fireworks exhibitor due to unsafe conditions or operations, inclement weather, wind conditions, unsafe spectator conditions, or any other condition in violation of this rule.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.9 When so ordered or when the fireworks exhibition permit has been revoked, the exhibitor shall cease firing of the fireworks exhibition immediately.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.10 Safety requirements. All fireworks exhibitions shall be conducted in accordance with the following as applicable to the type of exhibition:	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.10.1 Mortars. All mortars used in a fireworks exhibition that are greater than or equal to eight inches in diameter shall be equipped with electronic ignition equipment in accordance with NFPA 1123 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.53(B) and (C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.10.2 Standard of stability. All fireworks mortars and mortar racks used at a fireworks exhibition shall conform to the requirements of NFPA 1123 as listed in rule 1301:7-7-80 of the Administrative Code and this paragraph to ensure stability.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.10.2.1 All mortar racks shall be securely positioned in accordance with the requirements of NFPA 1123 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5608.10.2.1 The methods used to securely position the mortar rack shall not include the use of items such as plastic ties, string, twine, tape, or any other material that may easily break, dislodge, ignite, or otherwise permit the repositioning of the mortar rack.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5608.10.2.2 All mortars, bundles, box items, cakes, candle placements, and mortar racks shall be inherently stable or be properly secured and braced to prevent repositioning.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.10.2.3 All mortar racks shall be individually secured by one or more approved method.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.10.2.4 The stability of all mortars, bundles, box items, cakes, candle placements and mortar racks shall be verified by the licensed fireworks exhibitor and fire official immediately prior to the fireworks exhibition.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.10.2.4 Each such item shall be individually addressed in an appropriate manner to ensure its integrity and stability prior to providing affirmative documentation of such stability on the required inspection checklist.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.10.3 Exhibition site activity. Each licensed exhibitor shall display prominently upon their person any visible identification required by the fire code official at all times when within the discharge perimeter or otherwise at the exhibition site.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.10.3 Each licensed exhibitor shall make their exhibitor license available for review to any fire or law enforcement officer upon request.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.10.3.1 Discharge perimeter for an outdoor exhibition. Only fire officials, licensed fireworks exhibitors or persons who are employees of licensed exhibitors of fireworks and who are registered with the state fire marshal under section 3743.56 of the Revised Code shall be permitted within the discharge perimeter during a fireworks exhibition.	3737.22(A), 3737.82, 3743.53(B) and (D)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.10.3.2 Fall out area for an indoor exhibition. Only fire officials, licensed fireworks exhibitors, or persons who are employees of licensed exhibitors of fireworks and who are registered with the state fire marshal under section 3743.56 of the Revised Code shall be permitted within the fall out area during a fireworks exhibition.	3737.22(A), 3737.82, 3743.53(B) and (D)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5608.10.4 Inspection. An inspection of all affected premises shall be conducted immediately following a fireworks exhibition for purposes of locating and disposing of defective or unexploded fireworks.	3737.22(A), 3737.82, 3743.53(B)	Yes, state law	Yes, state law
1301:7-7-56	Shall	5608.10.4 If an outdoor fireworks exhibition is conducted at night, an inspection shall also be conducted at sunrise the following morning.	3737.22(A), 3737.82, 3743.53(B)	Yes, state law	Yes, state law
1301:7-7-56	Shall	5608.10.5 Fire official. The governing authority having jurisdiction in the location where an outdoor exhibition is to take place shall require that a certified fire safety inspector, fire chief, or fire prevention officer be present before, during, and after the outdoor fireworks exhibition.	3737.22(A), 3737.82, 3743.53(B), 3743.54(E)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Require	5608.10.5 Fire official. The governing authority having jurisdiction in the location where an outdoor exhibition is to take place shall require that a certified fire safety inspector, fire chief, or fire prevention officer be present before, during, and after the outdoor fireworks exhibition.	3737.22(A), 3737.82, 3743.53(B), 3743.54(E)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.10.5 The fire safety inspector, fire chief or fire prevention officer, shall complete the detailed inspection checklist as prescribed by the state fire marshal and set forth in the appendix of this rule.	3737.22(A), 3737.82, 3743.53(B), (E) and (F)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.10.5 If the exhibition to be inspected is an outdoor exhibition, the fire chief or fire prevention officer shall complete the detailed inspection checklist, in consultation with a police chief or other similar chief law enforcement officer of a municipal corporation, township, or township police district or with a designee of such a police chief or other similar chief law enforcement officer.	3737.22(A), 3737.82, 3743.53(B), (E) and (F)	Yes, both state and federal law	Yes, state law
1301:7-7-56	Shall	5608.10.6 Assistants. No licensed exhibitor of fireworks shall permit an employee to assist the licensed exhibitor in conducting fireworks exhibitions unless the employee is registered with the state fire marshal under section 3743.56 of the Revised Code.	3737.22(A), 3737.82, 3743.53(B) and (D), 3743.56	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5608.10.7 Unless otherwise specifically directed by this rule, the Administrative Code, or the Revised Code, all fireworks used in any type of exhibit shall be used in accordance with the instructions provided by the manufacturer.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5609.1 General. All fireworks transported on the highways in this state and all wholesale and commercial sales of fireworks shall be packaged, shipped, placarded, and transported in accordance with DOTn regulations applicable to the transportation, and the offering for transportation, of hazardous materials and NFPA 1123, 1124 and 1126 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.05, 3743.58,	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5609.1 General. All fireworks otherwise transported into or through this state shall be transported in accordance with applicable law.	3737.22(A), 3737.82, 3743.05, 3743.58,	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5609.1 For purposes of this paragraph, “wholesale and commercial sales” includes all sales for resale and any nonretail sale made in furtherance of a commercial enterprise. For purposes of enforcement of these regulations under section 4905.83 of the Revised Code, any sales transaction exceeding one thousand pounds shall be presumed to be a wholesale or commercial sale.	3737.22(A), 3737.82, 3743.05, 3743.58,	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5609.2 Interstate shipment of fireworks. No person shall ship fireworks into this state by mail, parcel post, or common carrier unless the person possesses a valid shipping permit issued under section 3743.40 of the Revised Code, and the fireworks are shipped directly to the holder of a license issued under section 3743.03 or 3743.16 of the Revised Code or to the holder of a license issued under section 3743.51 of the Revised Code who possesses a valid exhibition permit issued in accordance with section 3743.54 of the Revised Code and the fireworks being shipped are to be used at that specifically permitted exhibition.	3737.22(A), 3737.82, 3743.05, 3743.58, 3743.66	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5609.3 Intrastate shipment of fireworks. No person shall ship fireworks within this state by mail, parcel post, or common carrier unless the fireworks are shipped directly to the holder of a license issued under section 3743.03 or 3743.16 of the Revised Code or to the holder of a license issued under section 3743.51 of the Revised Code who possesses a valid exhibition permit issued in accordance with section 3743.54 of the Revised Code and the fireworks being shipped are to be used at that specifically permitted exhibition.	3737.22(A), 3737.82, 3743.05, 3743.58	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.1 Storage. The storage of fireworks at the exhibition site shall comply with the requirements of this paragraph and NFPA 1123 and NFPA 1126 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5610.1 All fireworks to be used at a fireworks exhibition shall be stored in an approved magazine at the exhibition site until immediately prior to their use.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.1 Such magazine shall be located in an area approved by the local fire official and shall meet the table of distances requirements of this rule.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	Yes, both state and federal law
1301:7-7-56	Shall	5610.1 Such magazine shall be located in an area approved by the local fire official and shall meet the table of distances requirements of this rule.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.1 Magazines shall be constructed in accordance with this rule.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5610.1 Such storage shall not exceed a period of seventy-two hours prior to the start of the fireworks exhibition as provided for in the approved permit unless all of the following apply:	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.1 (c) The fireworks stored at the exhibition site in accordance with this rule shall only be those fireworks approved by the fire code official having jurisdiction as necessary for the specific exhibition listed in the exhibition permit that describes the extended storage period.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5610.1 (d) The extended time period for storage shall not exceed a maximum of fourteen days.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5610.2 Supervision and weather protection. Beginning as soon as fireworks have been delivered to the exhibition site, they shall not be left unattended.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.3 Weather protection. Fireworks shall be kept dry after delivery to the exhibition site.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.4 Inspection. Fireworks shall be inspected by the operator or assistants after delivery to the exhibition site.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.4 Fireworks having tears, leaks, broken fuses or signs of having been wet shall be set aside and shall not be fired.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5610.4 Fireworks having tears, leaks, broken fuses or signs of having been wet shall be set aside and shall not be fired.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.4 After the fireworks exhibition, damaged, deteriorated or dud fireworks shall either be returned to the supplier or destroyed in accordance with the supplier’s instructions and paragraph (D)(10)(5604.10) of this rule.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.4 Exception: Minor repairs to fuses shall be allowed. For electrically ignited exhibitions, attachment of electric matches and similar tasks shall be allowed.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.4 Exception: Minor repairs to fuses shall be allowed. For electrically ignited exhibitions, attachment of electric matches and similar tasks shall be allowed.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.5 Sorting and separation. After delivery to the exhibition site and prior to the fireworks exhibition, all aerial shells shall be separated according to size and their designation as salutes.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5610.6 Ready boxes. Fireworks that will be temporarily stored at the site during the fireworks exhibition shall be stored in ready boxes located upwind and at least 25 feet (7620 mm) from the mortar placement and separated according to size and their designation as salutes.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5611.1 Scope. This paragraph shall apply to the following: [Flame Effects Permit as specified in rule]	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5611.2. This rule shall not apply to: [Flame Effects Permit as specified in rule]	3737.22(A), 3737.82, 3742.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.3 Permit. A permit shall be obtained from the local fire code official of the jurisdiction for the use of indoor and outdoor flame effects as set forth in paragraph (K)(1)(5611.1) of this rule at least five days in advance of the production, exhibition, demonstration, or simulation using the flame effects.	3737.22(A), 3737.82, 3743.54, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Must	5611.3 Before any flame effects exhibition permit issued under this rule is considered to be a valid permit to allow the licensed flame effects exhibitor to conduct a flame effects exhibition, the permit, upon approval, must be signed and dated by the local fire code official having jurisdiction.	3737.22(A), 3737.82, 3743.54, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.3 As required by the local fire code official to confirm compliance with this paragraph, receipt of the permit and/or any conditions associated thereto, the flame effects exhibitor shall sign and date the permit application, the permit and/or any other required documentation.	3737.22(A), 3737.82, 3743.54, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.3 When a permit is required by this rule, a local fire code official shall be present during the production, exhibition, demonstration, or simulation using flame effects.	3737.22(A), 3737.82, , 3743.54, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.3 If a permit is required by this rule, the permit shall identify the local fire code official who will be present before, during, and after the flame effects exhibition.	3737.22(A), 3737.82, , 3743.54, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Must	5611.3 If any portion of the fire protection or life safety systems of a structure are interrupted during the operation of flame effects, a local fire code official must grant a prior approval of and be present during such interruptions.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.3 Any performance adding flame effects different from the performance described in the permittee's plan shall require approval by the local fire code official having jurisdiction.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Require	5611.3 Any performance adding flame effects different from the performance described in the permittee's plan shall require approval by the local fire code official having jurisdiction.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.4 Permit form. The application form for exhibition permit as prescribed by the state fire marshal shall be legibly and fully completed by the licensed flame effects exhibitor to clearly indicate the circumstances and class of the flame effects exhibition the flame effects exhibitor wishes to conduct.	3737.22(A), 3737.82, 3743.53(B), 3743.54	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.5 Flame effects use plan. Before the performance of any production, the permit applicant shall submit a plan for the use of flame effects to the local fire code official.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.5 The plan shall be made in writing in such form as is acceptable to the local fire code official and shall demonstrate compliance with this rule and NFPA 160 listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.5 The plan shall be made in writing in such form as is acceptable to the local fire code official and shall demonstrate compliance with this rule and NFPA 160 listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.5 The plan shall include but is not limited to the following: [as specified in rule]	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.5 After a permit has been granted, the permittee shall keep the plan available at the site for safety inspectors or other designated agents of each authority having jurisdiction.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5611.6 Fee. When the legislative authority of the political subdivision has prescribed a fee for the issuance of a permit for a flame effects exhibition, the local fire code official shall not issue such permit until the flame effects exhibitor pays the requisite fees as required by the local legislative enactment setting forth such fee.	3737.22(A), 3737.82, 3743.53(B), 3743.54(D)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5611.7 Inspection of site. Prior to issuance, the local fire code official having jurisdiction shall inspect the premises where the flame effects exhibition is to take place and determine whether the exhibition, demonstration, or simulation using flame effects is in compliance with this rule, Chapter 3743. of the Revised Code, and NFPA 160 (Annex C, Inspection Guidelines) as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5611.8 Inspection checklist. At the time of the required site inspection, the local fire code official having jurisdiction shall complete the required detailed inspection checklist as prescribed by the state fire marshal.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.8 No production, exhibition, demonstration, or simulation using flame effects shall occur in this state until the licensed flame effects exhibitor possesses a copy of the appropriate checklist signed by the local fire code official.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5611.9 Requirements to exhibit flame effects. No person shall engage in the production, exhibition, demonstration, or simulation using flame effects unless the person obtains a permit in accordance with this rule.	3737.22(A), 3737.82, 3743.53(B), 3743.54(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.9 No permit for a flame effects exhibition shall be granted unless the applicant is in possession of a valid flame effects exhibitor's license in accordance with paragraph (S)(5619) of this rule to exhibit, demonstrate, or simulate using flame effects.	3737.22(A), 3737.82, 3743.53(B), 3743.54(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.9 Each applicant for a permit shall show the applicant's license as a flame effects exhibitor's license to the local fire code official and, upon request, to the police chief or other similar law enforcement officer.	3737.22(A), 3737.82, 3743.53(B), 3743.54(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.11 Ceasing operations. Operations shall immediately cease and the flame effects exhibition shall be postponed by the licensed flame effects exhibitor when so ordered by the local fire code official or due to unsafe conditions or operations, unsafe spectator conditions, or any other condition in violation of this rule.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.11 Ceasing operations. Operations shall immediately cease and the flame effects exhibition shall be postponed by the licensed flame effects exhibitor when so ordered by the local fire code official or due to unsafe conditions or operations, unsafe spectator conditions, or any other condition in violation of this rule.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.11 The local fire code official shall order the immediate cessation of the flame effects exhibition due to unsafe conditions or operations, unsafe spectator conditions, or any other condition in violation of this rule.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.11 When so ordered or when the flame effects exhibition permit has been revoked, the flame effects exhibitor shall cease the flame effects exhibition immediately.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.12 General. All flame effects control systems shall be designed and installed to prevent accidental firing and unintentional release of fuel.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.13.1 General All flame effect materials and devices not connected for use shall be stored in accordance with applicable codes and standards and any state and local regulations.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.13.2 Holding areas All flammable flame effect materials and loaded devices that have been removed from storage areas in anticipation of use shall be stored in a holding area acceptable to the local fire code official.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.13.3 Quantity limitations. The maximum quantity of flammable flame effect materials and loaded devices stored in a holding area shall be that quantity used in one day.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.13.3 Quantities of flammable flame effect materials and devices in excess of those used in one day shall be permitted to be stored in holding areas with the approval of the local fire official.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.13.3 Flammable flame effect materials and loaded devices in holding areas shall be secured or supervised continuously by an attendant trained in emergency response procedures.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.13.3 All flame effects and flame effects exhibitors shall comply with NFPA 160 and the NFPA 160 annexes as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Require	5611.14 Insurance. The local fire code official having jurisdiction may require the applicant to maintain valid general liability insurance or an indemnity bond in force for the applicant and includes acts of all employees that is issued by a company licensed to provide such coverage in the state of Ohio, for an amount no less than one million dollars or as otherwise required in a higher amount by the local fire official.	3737.22(A), 3737.82, 3743.53(B), 374354(D)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5611.15.1 General All flame effects devices and materials shall have drawings, manuals, or written descriptions to describe the type of item and performance specifications of the flame effects created.	3737.22(A), 3737.82, 3743.53(B), 3743.05(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.15.1 This documentation shall be on site and available to the local fire official.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.16 Operating procedures All flame effects shall have written operating instructions including start-up, show operations normal shutdown procedures, and emergency shutdown procedures.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5611.16 Operating instructions shall be available to the operator.	3737.22(A), 3737.82, 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5612.1 All licensed manufacturers, wholesalers, shippers, and fireworks exhibitors shall comply with the applicable requirements listed in this rule, the building code, NFPA 1123, NFPA 1124 and NFPA 1126 as listed in rule 1301:7-7-80 of the Administrative Code, relating to operation, record keeping and reporting, site security, separation distances, heating, lighting, electrical equipment, smoking regulations, fire and explosion prevention, fire protection and emergency procedures, transportation, and operations of fireworks exhibits.	3737.22(A), 3737.82, 3743.05, 3743.18(A) and (B), 3743.53(B), 3743.58	No, general rulemaking authority	Yes, state law
1301:7-7-56	Must	5612.1.1 All manufacturing or processing of fireworks must be in accordance with Chapter 3743. of the Revised Code, the applicable provisions of NFPA 1123, NFPA 1124 and NFPA 1126 as listed in rule 1301:7-7-80 of the Administrative Code and, to the extent not addressed by the Revised Code or NFPA 1123, NFPA 1124 and NFPA 1126 as listed in rule 1301:7-7-80 of the Administrative Code, in accordance with paragraph (E)(5605) of this rule.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3 Continuing education. Each licensed manufacturer, wholesaler, or exhibitor shall comply with the applicable continuing education requirements as follows:	3737.22(A), 3737.82, 3743.04(F), 3743.05	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.1 Manufacturer. Each licensed manufacturer of fireworks that possesses fireworks for sale and sells fireworks under division (C) of section 3743.04 of the Revised Code, or a designee of the manufacturer, whose identity is provided to the state fire marshal by the manufacturer, annually shall attend a continuing education program.	3737.22(A), 3737.82, 3743.04(F), 3743.05	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.1 The state fire marshal shall develop the program and the state fire marshal or a person or public agency approved by the state fire marshal shall conduct it.	3737.22(A), 3737.82, 3743.04(F), 3743.05	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.1 The state fire marshal shall develop the program and the state fire marshal or a person or public agency approved by the state fire marshal shall conduct it.	3737.22(A), 3737.82, 3743.04(F), 3743.05	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.1 A licensed manufacturer or the manufacturer's designee who attends a required program, within one year after attending the program, shall conduct in-service training for other employees of the licensed manufacturer regarding the information obtained in the program.	3737.22(A), 3737.82, 3743.04(F), 3743.05	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.1 . A licensed manufacturer shall provide the state fire marshal with notice of the date, time, and place of all in-service training.	3737.22(A), 3737.82, 3743.04(F), 3743.05	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.1 The state fire marshal shall establish the subjects to be taught, the length of the classes, and the standards for approval, and the time periods for notification by the licensee to the state fire marshal of any in-service training.	3737.22(A), 3737.82, 3743.04(F), 3743.05	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO EDUCATION REQUIREMENTS SET FORTH IN THE CODE: 5612.3.1 Exception. If approved by the state fire marshal, any licensed manufacturer of fireworks that possesses fireworks for sale and sells fireworks under division (C) of section 3743.04 of the Revised Code, or a designee of the manufacturer, whose identity is provided to the state fire marshal by the manufacturer, who serves as an instructor at a continuing education program outlined above shall not have to attend an additional continuing education program as a student during that same licensing year.	3737.22(A), 3737.82, 3743.04(F), 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5612.3.2 Wholesaler. Each licensed wholesaler of fireworks or a designee of the wholesaler, whose identity is provided to the state fire marshal by the wholesaler, annually shall attend a continuing education program.	3737.22(A), 3737.82, 3743.17(K)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.2 The state fire marshal shall develop the program and the state fire marshal or a person or public agency approved by the state fire marshal shall conduct it.	3737.22(A), 3737.82, 3743.17(K)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.2 The state fire marshal shall develop the program and the state fire marshal or a person or public agency approved by the state fire marshal shall conduct it.	3737.22(A), 3737.82, 3743.17(K)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.2 A licensed wholesaler or the wholesaler's designee who attends a required program, within one year after attending the program, shall conduct in-service training for other employees of the licensed wholesaler regarding the information obtained in the program.	3737.22(A), 3737.82, 3743.17(K)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.2 A licensed wholesaler shall provide the state fire marshal with notice of the date, time, and place of all in-service training.	3737.22(A), 3737.82, 3743.17(K)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.2 The state fire marshal shall establish the subjects to be taught, the length of the classes, and the standards for approval, and the time periods for notification by the licensee to the state fire marshal of any in-service training.	3737.22(A), 3737.82, 3743.17(K)	No, general rulemaking authority	Yes, state law

1301:7-7-56	Shall not	<i>THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO EDUCATION REQUIREMENTS SET FORTH IN THE CODE:</i> 5612.3.2 Exception: If approved by the state fire marshal, any licensed wholesaler of fireworks or a designee of the wholesaler, whose identity is provided to the state fire marshal by the wholesaler, who serves as an instructor at a continuing education program as outlined above shall not have to attend an additional continuing education program as a student during that same licensing year.	3737.22(A), 3737.82, 3743.17(K)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5612.3.3 Exhibitor. Each licensed exhibitor of fireworks or a designee of the exhibitor, whose identity is provided to the state fire marshal by the exhibitor, shall attend a continuing education program consisting of not less than six hours of instruction once every three years.	3737.22(A), 3737.82, 3743.52(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.3 The state fire marshal shall develop the program and the state fire marshal or a person or public agency approved by the state fire marshal shall conduct it.	3737.22(A), 3737.82, 3743.52(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.3 The state fire marshal shall develop the program and the state fire marshal or a person or public agency approved by the state fire marshal shall conduct it.	3737.22(A), 3737.82, 3743.52(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.3 A licensed exhibitor or the exhibitor's designee who attends a required program, within one year after attending the program, and on an annual basis during the following two years, shall conduct in-service training for other employees of the licensee regarding the information obtained in the program.	3737.22(A), 3737.82, 3743.52(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.3 After each in-service training, the licensed exhibitor shall provide a roster to the state fire marshal's office listing all those that attended the in-service training.	3737.22(A), 3737.82, 3743.52(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.3 A licensed exhibitor shall provide the state fire marshal with certified proof of full compliance with all applicable annual training requirements of the United States Department of Transportation and of the Occupational Safety and Health Administration.	3737.22(A), 3737.82, 3743.52(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.3 A licensed exhibitor shall provide the state fire marshal with notice of the date, time, and place of all in-service training not less than thirty days prior to an in-service training event.	3737.22(A), 3737.82, 3743.52(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5612.3.3 An individual exhibitor who has no employees shall not fulfill continuing education requirements through a designee.	3737.22(A), 3737.82, 3743.52(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.3 An exhibitor who fulfills the continuing education requirements through a designee shall provide the identity and exhibitor license number of the designee to the state fire marshal prior to the training program.	3737.22(A), 3737.82, 3743.52(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.3 Each licensed exhibitor shall provide documentation evidencing compliance with the continuing education requirements in the manner prescribed in the license renewal application material.	3737.22(A), 3737.82, 3743.52(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5612.3.4 Records. All records documenting the completion of the continuing education required by this rule shall be maintained for a period of three years and shall be available for inspection by the state fire marshal or his/her designee when requested.	3737.22(A), 3737.82,	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5612.3.4 Records. All records documenting the completion of the continuing education required by this rule shall be maintained for a period of three years and shall be available for inspection by the state fire marshal or his/her designee when requested.	3737.22(A), 3737.82,	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5613.1 Suspect fireworks. If there is reason to believe that the explosive composition or the pyrotechnic mixture of a particular fireworks device of the manufacturer, wholesaler, shipper, or exhibitor does not meet the DOTn classification regulations, such person shall furnish a random sampling of such fireworks device to the state fire marshal for testing to determine compliance of the device with DOTn classification regulations.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5613.1 (a) Fireworks shall be evaluated and tested by the state fire marshal by written request or by seizure.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5613.1 (b) The classification test shall not be construed as conferring classification to any other item, nor shall the trade name of any item be changed without notifying the state fire marshal thirty days prior to such change.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5613.1 (b) The classification test shall not be construed as conferring classification to any other item, nor shall the trade name of any item be changed without notifying the state fire marshal thirty days prior to such change.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5613.1 (c) Fireworks or pyrotechnic devices that have not been classified by DOTn classification standards shall not be used, stored, or sold for use within this state.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5613.2 Fee. Fireworks or pyrotechnic devices that are submitted to the state fire marshal for classification by licensed manufacturers, wholesalers, shippers, or exhibitors shall be accompanied by a fee of twenty dollars for each item.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5613.3 Submission of live samples. When required by the state fire marshal, live samples shall be submitted to the state fire marshal for testing.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5613.3 The number of samples necessary shall be determined by the state fire marshal, but in no case shall the number of samples be less than ten.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5613.3 The number of samples necessary shall be determined by the state fire marshal, but in no case shall the number of samples be less than ten.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5613.4 No person, other than the state fire marshal, a licensed manufacturer, licensed wholesaler or a licensed exhibitor pursuant to a properly issued exhibition permit, shall test fireworks.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5613.4 All testing of fireworks shall be in accordance with Chapter 3743. of the Revised Code, this rule and, to the extent not addressed by the Revised Code or this rule, in accordance with the applicable provisions of NFPA 1123, NFPA 1124 and NFPA 1126 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Must	5614.1.5.3 Directly to a licensed exhibitor at the site of a properly permitted indoor exhibition for such exhibitor. All such shipments must be in accordance with federal laws, rules and regulations, Chapter 3743. of the Revised Code, this rule and the applicable provisions of NFPA 1123, NFPA 1124 and/or NFPA 1126 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.05, 3743.53(A), 3743.58	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5614.1.6 Possession, transportation and storage of fireworks. The possession, transportation and storage of 1.1G fireworks (UN0333), 1.2G fireworks (UN0334), 1.3G fireworks (UN0335), 1.4G fireworks (UN0336), 1.4G special effects fireworks (UN0431), 1.4S fireworks (UN0337) or 1.4S special effects fireworks (UN0432) shall be in accordance with federal laws, rules and regulations, Chapter 3743. of the Revised Code, this rule and the applicable provisions of NFPA 1123, NFPA 1124 and/or NFPA 1126 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.05, 3743.18, 3743.58	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5614.2 Fireworks labeling. All fireworks manufactured, sold, shipped, transported, or displayed in this state shall be labeled in accordance with the CPSC regulations and other applicable laws, rules or regulations, including regulations promulgated by the United States Department of Transportation.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5614.3 Sales. A licensed manufacturer or wholesaler shall only sell fireworks that meet the standards set by the consumer product safety commission or by the American fireworks standard laboratories or that have received an EX number from the United States Department of Transportation or an FC Number from a Department of Transportation approved fireworks certification agency.	3737.22(A), 3737.82, 3743.05, 3743.04(C), 3743.17(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5614.3 At least thirty days prior to publishing or updating such a list, the state fire marshal shall distribute it to all Ohio licensed manufacturers and wholesalers of fireworks for comment.	3737.22(A), 3737.82, 3743.05, 3743.04(C), 3743.17(C)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5615.1.1 Every license fee required in accordance with this rule shall be paid with cash or by money order, postal note, cashier's check, credit card, certified check or personal check payable to the "Treasurer, State of Ohio."	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A), 3743.57(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5615.1.2 Every required license fee shall be paid at or mailed to the "Division of State Fire Marshal," at the address specified on the application material.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A), 3743.57(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5615.2 Expired license. Renewal applications received after the required submittal dates shall be considered new applications and shall meet the examination requirement of paragraph (S)(7)(5619.7) of this rule.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5615.2 Expired license. Renewal applications received after the required submittal dates shall be considered new applications and shall meet the examination requirement of paragraph (S)(7)(5619.7) of this rule.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5615.3 Duplicate license. In the event that a valid license is lost or accidentally destroyed, an application for a duplicate license shall be made in writing to the state fire marshal.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5615.3 The application for a duplicate license shall be accompanied by a ten-dollar fee.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5615.4 Misuse of license. No person who has been issued a manufacturer's or wholesaler's license shall give or permit any other person to use such license in violation of division (D) of section 3743.04 and division (D) of section 3743.17 of the Revised Code.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.02, 3743.04, 3743.17	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5615.4 No person who has been issued a shipping permit shall give or permit any other person to use such permit in violation of division (F) of section 3743.40 of the Revised Code.	3737.22(A), 3737.82, 3743.58, 3743.40(F)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5615.4 No person who has been issued an exhibitor's license shall give or permit any other person to use such license in violation of division (B) of section 3743.52 of the Revised Code.	3737.22(A), 3737.82, 3743.53(A), 3743.52	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5615.4 Any license or permit is not transferable or assignable to any other holder at the same location without the written permission of the state fire marshal, nor shall any license be extended beyond the dates set out therein.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A), 3743.52(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5615.5 Forfeiture of fee. When a license has been denied, revoked or suspended pursuant to this rule and Chapter 119. of the Revised Code, the fee for such license shall be forfeited and deposited into the state fire marshal's rotary fund and applied as a fee for license processing.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A), 3743.08(D), 3743.21(D),	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5615.6 Issuance, denial or revocation. The state fire marshal shall not issue an initial or renewal license, permit or registration authorized by Chapter 3743. of the Revised Code, if the applicant for the license or permit, or any individual holding, owning, or controlling a five per cent or greater beneficial or equity interest in the applicant for the license or permit, has been convicted of or pleaded guilty to, after June 30, 1997, a felony under the laws of this state, another state, or the United States.	3737.22(A), 3737.82, 3743.02, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.50, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5615.7 Investigation. Upon receipt of an application and the required accompanying matter, the state fire marshal shall forward to the superintendent of the bureau of criminal identification and investigation a request that the bureau conduct an investigation of the applicant and, if applicable, additional individuals who hold, own, or control five per cent or greater beneficial or equity interest in the applicant, to determine whether the applicant or the additional associated individuals have been convicted of or pled guilty to a felony under the laws of this state, another state, or the United States.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A), 3743.03(E), 3743.16(D), 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5615.7 If the applicant for initial licensure has resided in this state for less than five continuous years immediately prior to the date the applicant submits an initial application, the superintendent also shall request that the Federal Bureau of Investigation conduct an investigation of the applicant and, if applicable, additional individuals who hold, own or control a five per cent or greater beneficial or equity interest in the applicant, to determine whether the applicant or the additional associated individuals have been convicted of or pled guilty to a felony under the laws of this state, another state, or the United States.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A), 3743.03(E), 3743.16(D), 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5615.7 The superintendent shall forward the results of the investigation to the state fire marshal and may charge a reasonable fee for providing the results.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A), 3743.03(E), 3743.16(D), 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5615.7 The state fire marshal shall also assess the applicant any fee charged by the superintendent for the results to the applicant.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A), 3743.03(E), 3743.16(D), 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5615.8 License status. The state fire marshal shall not place the license of a manufacturer or wholesaler in a temporarily inactive status while the holder of the license is attempting to qualify to retain the license.	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.04(E), 3743.17(J)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5615.9 Geographic transfer of license. Upon application by a licensed wholesaler of fireworks, a wholesaler license may be transferred from one geographic location to another within the same municipal corporation or within the unincorporated area of the same township, but only if all of the following apply: (f) The state fire marshal approves the request for the transfer. The new locations shall comply with the requirements specified in divisions (A)(1) and (A)(2) of section 3743.25 of the Revised Code whether or not the fireworks showroom at the new location is constructed, expanded, or first begins operating on and after July 1, 1997.	3737.22(A), 3737.82, 3743.15(A), 3743.17(F)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5615.10 Ownership transfer of license. The state fire marshal shall not approve any transfer applications under this paragraph unless: [as specified in rule]	3737.22(A), 3737.82, 3743.05, 3743.15(A), 3743.18(A), 3743.58, 3743.53(A), 3743.17(F),	No, general rulemaking authority	Yes, state law

1301:7-7-56	Shall	5616.1 Application. Application by a manufacturer or wholesaler for an original license or a renewal license shall be made prior to the first day of October preceding the license year for which the original application or renewal application is being made.	3737.22(A), 3737.82, 3743.02(A), 3743.04(A), 3743.05, 3743.15(A), 3743.17(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5616.1 The application form shall be as prescribed by the state fire marshal.	3737.22(A), 3737.82, 3743.02(A), 3743.04(A), 3743.05, 3743.15(A), 3743.17(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Require	5616.1 Failure to submit the application and license fee prior to the first day of October may require that the applicant wait until the following year to make another application.	3737.22(A), 3737.82, 3743.02(A), 3743.04(A), 3743.05, 3743.15(A), 3743.17(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5616.1 The original and renewal fee for a manufacturer or wholesaler license shall be two thousand seven hundred fifty dollars.	3737.22(A), 3737.82, 3743.02(B), 3743.05, 3743.15(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5616.1 The state fire marshal shall issue or renew a license only on that date and at no other time.	3737.22(A), 3737.82, 3743.02, 3743.04(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5616.1.1 If an applicant has any storage locations approved in accordance with the Revised Code or this code, the applicant also shall submit a fee of one hundred dollars per storage location of for the inspection of each storage location.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.04(I), 3743.15(B), 3743.17(G)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5616.2.4 The applicant withdraws his or her application prior to an investigation or inspection by the state fire marshal to determine if the license shall be issued.	3737.22(A), 3737.82, 3743.02(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.2.7 The state fire marshal shall revoke or deny renewal of a license or permit first issued under Chapter 3743. of the Revised Code on or after July 1, 1997, if the holder of the license or permit, or any individual holding, owning, or controlling a five per cent or greater beneficial or equity interest in the holder of the license or permit, is convicted of or pleads guilty to a felony under the laws of this state, another state, or the United States.	3737.22(A), 3737.82, 3743.02(A), 3743.04(A), 3743.05, 3743.15(A), 3743.17(A), 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5616.3 Fireworks listing. Applicants for all manufacturer or wholesaler licenses shall submit with their application to the state fire marshal a complete detailed list of all types of fireworks that they intend to wholesale, sell, offer for sale, transport, process, or otherwise dispose of.	3737.22(A), 3737.82, 3743.02, 3743.05, 3743.15,	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.3 The list shall contain the following information:	3737.22(A), 3737.82, 3743.02, 3743.05, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.3.1 Records of the amount of each type of device kept in the inventory shall be made available for inspection by the state fire marshal or his designee or fire code official upon request.	3737.22(A), 3737.82, 3743.02, 3743.05, 3743.15, 3743.07, 3743.20	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5616.4 Change in fireworks list. Applicants for a manufacturer or wholesaler license shall notify the state fire marshal in writing of any changes in content, construction, additions of, or deletion of any fireworks device on the submitted list.	3737.22(A), 3737.82, 3743.02, 3743.05, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.4 All lists shall be updated annually for license renewal.	3737.22(A), 3737.82, 3743.02, 3743.05, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.5 Map. All applicants for an initial manufacturer or wholesaler license, and thereafter at the discretion of the state fire marshal, shall submit a map showing the premises, all premises boundaries, building locations, building dimensions, distances between buildings, distance of the buildings from lot lines, railroads, roadways and habitable structures on adjoining properties.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E),	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.5 The map shall be sufficient to clearly delineate the boundaries, dimensions and all structures or other temporary or permanent fixtures located thereon that constitute the licensed premises.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.5 All buildings and structures shall be numbered and a list shall be attached to the map that corresponds to the building and structure number assigned to each, indicating the type of construction, date of construction (if erected after May 30, 1986) and actual use of each building and structure.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.5 All buildings and structures shall be numbered and a list shall be attached to the map that corresponds to the building and structure number assigned to each, indicating the type of construction, date of construction (if erected after May 30, 1986) and actual use of each building and structure.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.5 Maps shall be drawn to scale by an architect, engineer or cartographer.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.5.1 Boundaries of a licensed premises. If a licensed premises consists of more than one parcel of real estate, those parcels shall be contiguous unless an exception is allowed pursuant to Chapter 3743. of the Revised Code and this rule for storage locations.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	Yes, state law

1301:7-7-56	Shall not	5616.5.1 The boundaries of a licensed premises, including the boundaries of an approved storage location, shall not change unless the license holder has first obtained written approval from the state fire marshal.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.5.1 The state fire marshal shall approve the change to such licensed premises boundaries only when the applicant clearly shows all of the following:	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.5.1.2 The proposed area of premises expansion or premises contraction shall maintain the contiguity of the approved boundaries for the licensed premises or storage location.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.5.2 Applications for such change shall include the submission of all of the following items:	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Must	5616.5.2.2 Property deeds, lease agreements, and/or other appropriate proof of ownership or control. If the applicant does not own the licensed premises in fee simple, then the applicant must submit documentation, such as a copy of the current lease or rental agreement for the property, that the conduct of fireworks sales or related activity is an approved use of the premises by the owner.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.6 Ownership. Applicants for all manufacturer and wholesaler licenses shall submit with their application the parcel number and a copy of the deed of ownership or land contract for all of the parcels constituting the licensed premises.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Must	5616.6 If the applicant does not own the licensed premises in fee simple, then the applicant must submit documentation, such as a copy of the current lease or rental agreement for the property, that the conduct of fireworks sales or related activity is an approved use of the premises by the owner.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.7 Signature. The application for a manufacturer or wholesaler license shall be signed by the applicant.	3737.22(A), 3737.82, 3743.04(H), 3743.17(E), 3743.02, 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.7 Signature. If the application is made by a partnership, it shall be signed by each partner of the partnership.	3737.22(A), 3737.82, 3743.02(A), 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.7 Signature. If the application is made by a corporation, it shall be signed by the president of the corporation.	3737.22(A), 3737.82, 3743.02(A), 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.7 The original or a certified copy of the articles of incorporation filed with the office of the secretary of state, stating each officer and statutory agent by name, and the letter of good standing shall be included with the application.	3737.22(A), 3737.82, 3743.02(A), 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.7 Any change in the name of the identified officers of a corporation or the name of the identified statutory agent if applicable or other designated agent for service of process for each manufacturer or wholesaler that occurs during the licensure period shall be immediately submitted in writing to the state fire marshal.	3737.22(A), 3737.82, 3743.02(A), 3743.15	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5616.8 Magazine. For a manufacturer of fireworks license, each fireworks plant shall have at least one Class 1 magazine that is approved by the Bureau of Alcohol, Tobacco, and Firearms of the United States Department of the Treasury and that is otherwise in conformity with federal law.	3737.22(A), 3737.82, 3743.02(A), 3743.06(G)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5616.8 Such approval shall be evidenced only by a license issued by the Bureau of Alcohol, Tobacco, and Firearms of the United States Department of the Treasury.	3737.22(A), 3737.82, 3743.02(A), 3743.06(G)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.1 Each manufacturer or wholesaler of fireworks shall submit with each application for licensure one set of the applicant's fingerprints and a set of fingerprints of any individual holding, owning, or controlling a five per cent or greater beneficial or equity interest in the applicant for the license.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B), 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.1 The state fire marshal shall retain the fingerprints or similar identifying information submitted with each licensure application.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B), 3743.70	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Must	5617.1 On renewal, the applicant must submit fingerprints or similar identifying information for all new owners or shareholders of five per cent or more of the beneficial interest of the license.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B), 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.1 Persons who have previous fingerprint sets or similar identifying information on file with the state fire marshal shall resubmit new fingerprint sets or updated similar identifying information no later than thirty-six months from the date the previous fingerprint set or similar identifying information was submitted.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B), 3743.70	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5617.2 Each applicant for a fireworks wholesaler license shall submit proof of comprehensive general liability insurance coverage, specifically including fire and smoke casualty on premises, in an amount not less than one million dollars for each occurrence for bodily injury liability and wrongful death at its business location.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.2 Proof of such insurance shall be submitted together with proof of coverage in an amount not less than one million dollars for products liability on all inventory located at the business location.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.2 All applicants shall submit evidence of comprehensive general liability insurance coverage verified by the insurer and certified as to its provision of the minimum coverage required.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.2 The insurer who issued such insurance policy shall comply with all applicable Ohio laws or all applicable laws of the state where the insurer is located.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.3 Each applicant for a fireworks manufacturer license shall submit proof of comprehensive general liability insurance coverage, specifically including fire and smoke casualty on premises and products, in an amount not less than one million dollars for each occurrence for bodily injury liability and wrongful death liability at the fireworks plant.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B), 3743.04(G)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.3 All applicants shall submit evidence of comprehensive general liability insurance coverage verified by the insurer and certified as to its provision of the minimum coverage required.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B), 3743.04(G)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.3 The insurer who issued such insurance policy shall comply with all applicable Ohio laws or all applicable laws of the state where the insurer is located.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5617.4 In the event of a fire or explosion, any person who is injured or suffers property damage shall immediately notify the state fire marshal in writing of any claim against a manufacturer or wholesaler of fireworks.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.5 The manufacturer or wholesaler shall notify the state fire marshal in writing at least fifteen days in advance of the expiration date, maturity date, or termination date of a liability insurance policy.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.5 The manufacturer or wholesaler shall surrender his license to the state fire marshal upon expiration, termination or cancellation of the required insurance coverage.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.6 A licensed wholesaler or manufacturer shall maintain comprehensive general liability insurance coverage in the amount and type specified in Chapter 3743. of the Revised Code at all times.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.6 Each policy of insurance shall contain a provision requiring the insurer to give not less than fifteen days prior written notice to the state fire marshal before termination, lapse, or cancellation of the policy, or any change in the policy that reduces the coverage of any required insurance coverage.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.6 A licensed wholesaler or manufacturer shall secure supplemental insurance in an amount and type that satisfies the requirements for coverage so that no lapse in coverage occurs at any time.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B), 3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5617.6 A licensed wholesaler or manufacturer who secures supplemental insurance shall file evidence of the supplemental insurance with the state fire marshal prior to canceling or reducing the amount of coverage of any comprehensive general liability insurance coverage required.	3737.22(A), 3737.82, 3743.02(A) and (B), 3743.15(A) and (B), 3743.04(G), 3743.17(L)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	<i>5618.1 Application . Any person who wishes to ship fireworks including 1.1G fireworks (UN0333), 1.2G fireworks (UN0334), 1.3G fireworks (UN0335), 1.4G fireworks (UN0336), 1.4G special effects fireworks (UN0431), 1.4S fireworks (UN0337) or 1.4S special effects fireworks (UN0432) into this state shall submit an application for a license.</i>	3737.22(A), 3737.82, 3743.58, 3743.40(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5618.1 Application shall be made as follows:	3737.22(A), 3737.82, 3743.58, 3743.40	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5618.1.1 The application shall be on the form provided by the state fire marshal and shall be accompanied by a fee of two thousand seven hundred fifty dollars.	3737.22(A), 3737.82, 3743.58, 3743.40	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5618.1.1 The application shall be on the form provided by the state fire marshal and shall be accompanied by a fee of two thousand seven hundred fifty dollars.	3737.22(A), 3737.82, 3743.58, 3743.40	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5618.1.2 The application shall be accompanied by a certified copy or other copy acceptable to the state fire marshal of the applicant's license or permit issued in the applicant's state of residence, authorizing the applicant to engage in the manufacture, wholesale sale, or transportation of fireworks in that state.	3737.22(A), 3737.82, 3743.58, 3743.40(C)	No, general rulemaking authority	Yes, state law

1301:7-7-56	Shall	5618.1.3 A statement by the applicant shall be attached to the application indicating that he understands and will abide by the rules adopted by the state fire marshal, pursuant to section 3743.58 of the Revised Code, for transporting fireworks, and that the applicant will ship all fireworks in accordance with the DOTn regulations.	3737.22(A), 3737.82, 3743.58, 3743.40(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5618.2 Issuance. The state fire marshal shall not issue an initial license or permit if the applicant for the license or permit, or any individual holding, owning, or controlling five per cent or greater beneficial or equity interest in the applicant for the license or permit, has been convicted of or pleaded guilty to a felony under the laws of this state, another state, or the United States.	3737.22(A), 3737.82, 3743.58, 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5618.2 The state fire marshal shall revoke or deny renewal of a license or permit first issued under Chapter 3743. of the Revised Code on or after July 1, 1997, if the holder of the license or permit, or any individual holding, owning, or controlling a five per cent or greater beneficial or equity interest in the holder of the license or permit, is convicted of or pleads guilty to a felony under the laws of this state, another state, or the United States.	3737.22(A), 3737.82, 3743.58, 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5618.3 Bill of lading. For each shipment of fireworks that is sent into this state, a copy of the bill of lading shall be submitted to the state fire marshal upon request, listing the type, amount and the destination.	3737.22(A), 3737.82, 3743.58, 3743.40	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5618.4 Possession. The holder of a shipping permit shall have an accurate copy of the permit in the holder's possession in this state at all times while in the course of shipping the fireworks directly into this state.	3737.22(A), 3737.82, 3743.58, 3743.40(F)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	<i>5619.1 Categories of exhibitor licenses. No person shall conduct a fireworks exhibition or flame effects exhibition in this state without a license issued by the state fire marshal.</i>	3737.22(A), 3737.82, 3743.53(A) 3743.64(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.1 There shall be three categories of exhibitor licenses: [as specified in rule]	3737.22(A), 3737.82, 3743.53(A), 3743.54(G)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.2 Application. Any person who wishes to be an exhibitor of indoor, outdoor, theatrical, or special effects fireworks or flame effects in this state shall submit an application as prescribed by the state fire marshal for an annual license and a license fee of fifty dollars.	3737.22(A), 3737.82, 3743.53(A), 3743.52(A), 3743.50	Yes, state law	Yes, state law
1301:7-7-56	Shall	5619.1.1 Applicants for a new exhibitor's license or a renewal of an existing license shall, upon request of the state fire marshal, provide the state fire marshal with certified copies, or other similar documentation, relating to the individual's civilian background check.	3737.22(A), 3737.82, 3743.53(A), 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.3 Applicant. An applicant for an exhibitor license shall be at least twenty-one years of age and shall submit proof of age satisfactory to the state fire marshal.	3737.22(A), 3737.82, 3743.53(A), 3743.50	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.3 Applicant. An applicant for an exhibitor license shall be at least twenty-one years of age and shall submit proof of age satisfactory to the state fire marshal.	3737.22(A), 3737.82, 3743.53(A), 3743.50	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.3 The applicant shall be in compliance with Chapter 4123. of the Revised Code.	3737.22(A), 3737.82, 3743.53(A), 3743.50	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.4.1 New applications. All applications for new exhibitor licenses shall be submitted and received in the office of the state fire marshal thirty days in advance of the requested examination.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.4.1 The applicant shall designate the appropriate classification of licensed exhibitor on the application material submitted to the state fire marshal.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.4.1.1 Licensed exhibitor of indoor/outdoor fireworks (Type I). Any individual who applies to be examined and is licensed in the classification of a Type I fireworks exhibitor shall only be authorized to conduct the following fireworks exhibitions: [as specified in rule]	3737.22(A), 3737.82, 3743.53(A), 3743.54(G)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.4.1.2 Licensed exhibitor of indoor fireworks (Type II). Any individual who applies to be examined and is licensed as an exhibitor of indoor fireworks shall only be authorized to use 1.4G special effects fireworks (UN0431), 1.4S fireworks (UN0337) or 1.4S special effects fireworks (UN0432) before a proximate audience in accordance with the provisions of Chapter 3743. of the Revised Code, this rule and NFPA 1126 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.53(A), 3743.54(G)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.4.1.3 Flame effects exhibitor (Type III). Any individual who applies to be examined and is licensed in the classification of a flame effects exhibitor shall only be authorized to operate flame effects before an audience in accordance with the provisions of this rule and NFPA 160 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.53(A), 3743.54(G)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.4.2 Renewal applications. All applications for renewal of an exhibitor license shall be actually received in the office of the state fire marshal no later than the expiration date.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5619.4.2 Renewal applications actually received after the above required submittal dates shall be considered new applications and shall meet the examination requirement of paragraph (T)(7)(5620.8) of this rule.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.4.2 Renewal applications actually received after the above required submittal dates shall be considered new applications and shall meet the examination requirement of paragraph (T)(7)(5620.8) of this rule.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.4.2 The state fire marshal shall revoke or deny the renewal of a license or permit issued under Chapter 3743. of the Revised Code after July 1, 1997 if: [as specified in rule]	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.5 Fees for application. The fee under such circumstances shall be deemed necessary for the processing of the application, and the administering of the examination of the applicant.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.5 Said fee shall be deposited into the state fire marshal's rotary fund.	3737.22(A), 3737.82, 3743.53(A), 3743.57	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.5 The state fire marshal shall also assess the applicant any fee charged by the superintendent of the bureau of criminal identification and investigation for the results of a background check.	3737.22(A), 3737.82, 3743.53(A), 3743.70	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.6 Qualification requirements. Every applicant for a new exhibitor license shall submit with his application one of the following or such applicant shall be denied an exhibitor license pursuant to Chapter 119. of the Revised Code:	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.6 Qualification requirements. Every applicant for a new exhibitor license shall submit with his application one of the following or such applicant shall be denied an exhibitor license pursuant to Chapter 119. of the Revised Code:	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.6.1 The above documentation shall be endorsed by the signature of a licensed exhibitor, manufacturer or wholesaler of fireworks in Ohio.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Require	5619.6.1 If an endorsement signature of a licensed exhibitor, manufacturer or wholesaler in Ohio is not provided, the state fire marshal may require additional documentation demonstrating that the applicant has safely conducted as appropriate, 1.1G fireworks (UN0333), 1.2G fireworks (UN0334), 1.3G fireworks (UN0335), 1.4G fireworks (UN0336), 1.4G special effects fireworks (UN0431), 1.4S fireworks (UN0337) or 1.4S special effects fireworks (UN0432) and flame effects exhibitions in Ohio, indicating the date, location, and type of exhibition.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.7 Examination requirements. Every applicant for a new exhibitor license shall take and pass a written examination administered by the state fire marshal prior to the issuance of the license.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.7 Every applicant shall present acceptable photographic identification to the state fire marshal or the marshal's approved test provider for the purpose of applicant identification verification when arriving for and prior to taking an examination.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5619.7.1 The state fire marshal shall not issue an initial license or permit under Chapter 3743. of the Revised Code if the applicant for the license or permit, or any individual holding, owning, or controlling a five per cent or greater beneficial or equity interest in the applicant for the license or permit, has been convicted of or pleads guilty to a felony under the laws of this state, another state, or the United States.	3737.22(A), 3737.82, 3743.53(A), 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.8 Examination. The written examination required by this rule for a fireworks exhibitor license shall consist of questions pertaining to laws relating to fireworks, rules relating to fireworks, and relevant safety practices and procedures.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.8 The written examination for a flame effect exhibitor license shall consist of questions relating to the proper operation of flame effects before an audience and relevant safety practices and procedures.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Must	5619.8.1 To satisfactorily pass the written examination, the applicant must obtain a minimum grade of seventy per cent or such applicant shall be denied an exhibitor license pursuant to Chapter 119. of the Revised Code.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.8.1 To satisfactorily pass the written examination, the applicant must obtain a minimum grade of seventy per cent or such applicant shall be denied an exhibitor license pursuant to Chapter 119. of the Revised Code.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.8.3 Applicants reapplying to take a repeat examination shall file a new application and a license fee as required in paragraph (T)(1)(5620.1) of this rule.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.9 Location of examination. The examination required by this rule shall be administered at locations, dates, and times as designated by the state fire marshal.	3737.22(A), 3737.82, 3743.53(A)	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5619.10 Employee registration. Each fireworks exhibitor licensed under section 3743.51 of the Revised Code shall register with the state fire marshal all employees who assist the licensed exhibitor in conducting fireworks exhibitions unless such employees have already been registered by another licensed exhibitor.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	Yes, state law
1301:7-7-56	Must	5619.10 The employees must be registered with the state fire marshal at least fourteen days prior to assisting the licensed exhibitor in conducting a fireworks exhibition.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10 The state fire marshal shall maintain a record of licensed exhibitors and registered employees and make it available, upon request, to any law enforcement agency.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.10 A licensed exhibitor shall file an application, on a form prescribed by the state fire marshal, to register a new employee not later than seven days after the date on which the employee is hired unless the employee is already registered.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5619.10.1 Registration requirements. The state fire marshal shall not register a person under this paragraph unless the following requirements have been satisfied.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.1.1 Registration fee. Each application to register an employee of a licensed exhibitor of fireworks, regardless of time of registration as provided for in paragraph (T)(9)(f)(i)(5620.9.6.1) of this rule shall be accompanied by a nonrefundable registration fee of twenty-five dollars.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.1.1 The state fire marshal shall also assess the applicant any fee charged by the superintendent of the bureau of criminal identification and investigation for the results of a background check.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.1.2 Background check. No person shall be registered under this paragraph if the individual has been convicted of or pled guilty to a felony under the laws of this state, another state, or the United States.	3737.22(A), 3737.82, 3743.53(A), 3743.56, 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.10.1.2 All persons seeking to be registered under this paragraph shall provide fingerprint or similar identifying information, and complete a civilian background check for criminal history as administered or approved by the state fire marshal.	3737.22(A), 3737.82, 3743.53(A), 3743.56, 3743.70	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.10.1.2 Applicants shall, upon request of the state fire marshal, provide the state fire marshal with certified copies, or other similar documentation, relating to the individual's civilian criminal background check.	3737.22(A), 3737.82, 3743.53(A), 3743.56, 3743.70	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.2 Application. Each application filed with the state fire marshal to register an employee of a licensed exhibitor of fireworks shall be accompanied by: [as specified in rule]	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.3 Qualification requirements. The application for employee registration shall be denied by the state fire marshal when any of the following occur: [as specified in rule]	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5619.10.4 Effective dates of registration. Employee registrations under this rule shall not be effective until the proper issuance of documentation by the state fire marshal.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.5 Proof of registration. Each registered assistant shall carry the proof of registration issued by the state fire marshal while assisting the licensed exhibitor in conducting a fireworks exhibition and shall make it available to any fire or law enforcement official upon request.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.5 Proof of registration. Each registered assistant shall carry the proof of registration issued by the state fire marshal while assisting the licensed exhibitor in conducting a fireworks exhibition and shall make it available to any fire or law enforcement official upon request.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.5.1 Each registered assistant shall display prominently upon their person any visible identification required by the fire code official at all times when within the discharge perimeter.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.6 Registration expiration. After the effective date of this rule, each registration shall be for a period of one year unless otherwise provided for in this paragraph.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5619.10.6.2 If the time of employee registration occurs pursuant to paragraph (S)(9)(f)(i)(b)(5619.9.6.1.2) of this rule, the period of such employee's registration shall be limited to a period no longer than the remaining portion of the registering exhibitor's license.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.6.3 Each application for registration shall be prescribed by the state fire marshal and accompanied by the registration fees, proof of age, and verification of in-service education as required for initial registration in accordance with this paragraph.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5619.10.7 Any change in employee registration information submitted to the state fire marshal other than during the exhibitor's renewal application period described in paragraph (S)(9)(f)(5619.9.6) of this rule shall be accompanied by a fee equivalent to the registration fees prescribed in paragraph (S)(9)(a)(5619.9.1) of this rule.	3737.22(A), 3737.82, 3743.53(A), 3743.56	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-56	Shall	5620.1 General. The layout, arrangement and construction of buildings and structures in which fireworks are manufactured, processed, stored, and offered for sale, shall comply with the applicable requirements of the "Ohio Building Code" as listed in rule 1301:7-7-80 of the Administrative Code, for the appropriate high hazard occupancy use group classification, and shall be provided with fire protection, fire extinguishing equipment and explosion relief venting as required by the "Ohio Building Code" as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.05, 3743.06	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.1 General. The layout, arrangement and construction of buildings and structures in which fireworks are manufactured, processed, stored, and offered for sale, shall comply with the applicable requirements of the "Ohio Building Code" as listed in rule 1301:7-7-80 of the Administrative Code, for the appropriate high hazard occupancy use group classification, and shall be provided with fire protection, fire extinguishing equipment and explosion relief venting as required by the "Ohio Building Code" as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.05, 3743.06	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.1.1 Buildings and structures and their service equipment shall be maintained and operated as required by this rule, NFPA 1123 and NFPA 1124 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.05	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.1.2 In addition to the provisions of this paragraph, fireworks retail and representative sales showrooms shall comply with paragraph (U)(5621) of this rule.	3737.22(A), 3737.82, 3743.15(A), 3743.18(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5620.2 If, during the effective period of its licensure, a licensed manufacturer or wholesaler wishes to perform any construction, locate or relocate any buildings or structures, or make any structural change or renovation, on the licensed premises, the state fire marshal and the building code official shall be notified in writing.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.04(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Require	5620.2.1 The state fire marshal may require the submission of documentation, including, but not limited to, plans covering the proposed construction or structural change, location or relocation or renovation or change in manufacturing, if the state fire marshal determines such documentation is necessary for evaluation purposes prior to the issuance of a preliminary authorization for construction.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.04(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.2.2 Upon receipt of the notification and additional documentation required by the state fire marshal, the state fire marshal shall issue a preliminary authorization for construction and shall inspect the premises to determine if the proposed construction or structural change, location or relocation, or renovation or change in manufacturing is in accordance with Chapter 3743. of the Revised Code and the rules adopted by the state fire marshal.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.04(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.2.2 Upon receipt of the notification and additional documentation required by the state fire marshal, the state fire marshal shall issue a preliminary authorization for construction and shall inspect the premises to determine if the proposed construction or structural change, location or relocation, or renovation or change in manufacturing is in accordance with Chapter 3743. of the Revised Code and the rules adopted by the state fire marshal.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.04(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.2.2.1 When the licensee submits construction documents and preliminary authorization for construction to the building official having jurisdiction and obtains a set of construction documents approved by the building official, a copy of such approved documents shall be submitted to the state fire marshal by the licensee.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.04(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.2.3 Upon the inspection and a review of the submitted documentation, if the state fire marshal determines that the construction, location, relocation, structural change or renovation or change in manufacturing conforms to Chapter 3743. of the Revised Code and the rules adopted by the state fire marshal, the state fire marshal shall issue a final written authorization for the construction, location, relocation, structural change or renovation or change in manufacturing.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.04(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.2.4 No construction, relocation, structural change or renovation shall commence until the licensee has received the final written authorization issued by the state fire marshal.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.04(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.3 Building requirements. For every structure on a licensed premises, each required means of egress shall be accessible in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code and any newly installed or modified exit door assembly shall be provided with panic hardware.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.06(F)	No, general rulemaking authority	Yes, both state and federal law

1301:7-7-56	Shall	5620.3 Building requirements. For every structure on a licensed premises, each required means of egress shall be accessible in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code and any newly installed or modified exit door assembly shall be provided with panic hardware.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.06(F)	No, general rulemaking authority	Yes, both state and federal law
1301:7-7-56	Shall	5620.4 Separation distances. Each structure on a licensed premises shall comply with the separation distance requirements of NFPA 1124 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.05, 3743.18(A),	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.5 Safety requirements. Each structure on a licensed premises shall have and maintain floor plans showing occupancy load limits and internal circulation and egress patterns that are approved by the state fire marshal and the superintendent of the division of industrial compliance that are submitted under seal as required by section 3791.04 of the Revised Code.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.04(B), 3743.25(C),	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.6 Smoking. "No Smoking" signs shall be posted on the premises as required by the state fire marshal.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.06(C),	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5620.7 Doors. All exit doors of all buildings on the licensed premises shall swing outward.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.06(M)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5621.1 All fireworks and pyrotechnic devices shall be stored and maintained in compliance with the provisions of the Revised Code, paragraphs (T)(1)(5620.1) and (U)(5621) of this rule and in accordance with the provisions of NFPA 1124 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Must	5621.1 To the extent not addressed by the Revised Code, paragraphs (T)(1)(5620.1) and (U)(5621) of this rule and NFPA 1124 as listed in rule 1301:7-7-80 of the Administrative Code, fireworks storage must also be in accordance with paragraph (D)(5604) of this rule.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5621.1 All licensed manufacturer and wholesalers shall store fireworks only on the licensed premises or on an approved storage location that is part of a licensed premises.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5621.2 "1.3G" fireworks, black powder, and other raw bulk explosive materials shall be stored in magazines in accordance with the provisions of this rule.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5621.3 Trailers and magazines for the storage of fireworks. In no instance shall trailers used for the storage of fireworks be located at a distance less than the minimum separation distances specified in NFPA 1124 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5621.3 Members of the public shall be prohibited from access to the contents of any storage trailers at all times.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5621.3 Trailers and magazines used for the storage of fireworks shall be completely enclosed with an approved steel chain link fence or similar barrier at least 6 feet high.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5621.3 The state fire marshal shall approve the installation and location of such fences or similar barriers.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5621.3 The installation and location of such fences or similar barriers shall properly maintain the required fire department access and properly prohibit unauthorized public access.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	Yes, both state and federal law	No, general rulemaking authority
1301:7-7-56	Prohibit	5621.3 The installation and location of such fences or similar barriers shall properly maintain the required fire department access and properly prohibit unauthorized public access.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5621.3 Such fences or similar barriers shall be separated from all storage trailers and magazines containing fireworks by at least 10 feet and shall have a gate that is locked and secured against unauthorized entry.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5621.3 Such fences or similar barriers shall be separated from all storage trailers and magazines containing fireworks by at least 10 feet and shall have a gate that is locked and secured against unauthorized entry.	3737.22(A), 3737.82, 3743.05, 3743.18(A), 3743.53(B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5622.1.3 Number of sales structures. Each licensed premises shall only contain one sales structure.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.1.5 Age limitations. No person shall sell fireworks of any kind to a person under eighteen years of age.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.65	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.1.5 No person under eighteen years of age shall enter a fireworks sales showroom unless that person is accompanied by a parent, legal guardian, or other responsible adult.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.65	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.1.5 No person under eighteen years of age shall touch or possess fireworks on a licensed premises without the consent of the licensee.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.65	No, general rulemaking authority	Yes, state law

1301:7-7-56	Shall	5622.1.6 Safety officer. A uniformed safety officer shall be present at all times that any fireworks building is open to the public during the period commencing fourteen days before, and ending two days after, each fourth of July.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.19(M)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.1.6 The officer shall be highly visible, stationed at the showroom entrance, and shall enforce the provisions of Chapter 3743. of the Revised Code and any applicable fire and building codes, including but not limited to maximum occupancy load and no smoking regulations to the extent the officer is authorized by law, and be one of the following: [as specified in rule]	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.19(M)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.1.6 The officer shall be highly visible, stationed at the showroom entrance, and shall enforce the provisions of Chapter 3743. of the Revised Code and any applicable fire and building codes, including but not limited to maximum occupancy load and no smoking regulations to the extent the officer is authorized by law, and be one of the following: [as specified in rule]	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.19(M)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.1.7 Fuses. If any fireworks item is removed from its original package or otherwise has an exposed fuse, then the fuse of the item shall be covered completely by repackaging or secure bagging or the firework shall be removed from direct public access and located behind a counter or in a closed display case until it is sold.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.19(L)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.1.7 Fuses. If any fireworks item is removed from its original package or otherwise has an exposed fuse, then the fuse of the item shall be covered completely by repackaging or secure bagging or the firework shall be removed from direct public access and located behind a counter or in a closed display case until it is sold.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.19(L)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.1.8 Location requirements. All retail sales and representative sample showrooms shall be located on grade level only.	3737.22(A), 3737.82, 3743.18(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5622.1.9 Occupant load. A sufficiently sized and legible copy of the approved maximum occupant load shall be prominently posted within every retail sales or representative sales showroom structure near the main entrance.	3737.22(A), 3737.82, 3743.18(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5622.2.1.1 Awnings and tents. Awnings and tents shall not be used as facilities for the sale or storage of fireworks.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.19(I)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.2.1.2 Fire protection systems. Each fire alarm, fire detection, smoke control, fire suppression or other fire protection system installed in each building on the licensed premises shall be inspected, tested and maintained in an operable condition in accordance with the requirements of the Revised Code and the building code as listed in rule 1301:7-7-80 and this code.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C), 3743.19(K)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.2.1.2 (a) If any fire alarm, fire detection, smoke control or other fire protection system, or critical component of any such systems, is not functioning or has been turned off for repair or maintenance, the building shall be closed to members of the public unless the state fire marshal approves a fire watch while the system is being repaired or maintained.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C), 3743.19(K)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.2.1.2 (b) If any repair or maintenance is necessary during the times when the facility is open for public access and business as approved by the state fire marshal, the licensee shall notify in advance the state fire marshal, the appropriate insurance company and fire chief or fire prevention officer regarding the nature of the maintenance or repair and the time when it will be performed.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C), 3743.19(K)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.2.1.2 (c) If any fire suppression system as defined in section 3781.108 of the Revised Code is not functioning or has been turned off for repair or maintenance, the fireworks wholesale showroom shall be closed to members of the public unless the state fire marshal approves a fire watch while the system is being repaired or maintained.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C), 3743.19(K)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.2.1.3 Separation. All fireworks sales structures shall be separated by construction or distance from the storage facilities.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.19(J)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.2.1.3 Storage areas for fireworks that are in the same building where fireworks are displayed and sold to the public shall be separated from the areas to which the public has access by an appropriately rated fire wall in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.19(J)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.2.1.4 Storage. All licensed premises shall have an approved storage building, structure or magazine located on the premises as required by the provisions of this rule.	3737.22(A), 3737.82, 3743.18(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5622.2.1.4 A license shall not be issued to any manufacturer or wholesaler for a showroom area that does not have an approved storage building, structure or magazine that meets the provisions of this rule.	3737.22(A), 3737.82, 3743.18(A) and (B)	No, general rulemaking authority	Yes, state law

1301:7-7-56	Shall	5622.3.1 Retail sales showroom safety requirements. A licensed manufacturer or wholesaler shall bring retail sales showroom structures, to which the public may have access and in which employees are required to work, on all licensed premises, into compliance with the following safety requirements:	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.3.1.1 Fire protection systems. A retail sales showroom that is constructed, undergoes major alteration or upon which expansion is undertaken on and after June 30, 1997, shall be equipped with interlinked fire detection, fire suppression, smoke exhaust, and smoke evacuation systems that are approved by the superintendent of the division of industrial compliance in the department of commerce.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.3.1.1 The fire suppression system shall be a wet sprinkler system designed and installed in accordance with NFPA 13 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5622.3.1.1 A fireworks showroom structure that exists on July 1, 1997, shall be retrofitted on or before June 1, 1998, with interlinked fire detection, smoke exhaust, and smoke evacuation systems that are approved by the superintendent of the division of industrial compliance.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5622.3.1.1 If meeting these retrofitting requirements would constitute an extreme financial hardship that would force a licensee to terminate business operations, the licensee shall conduct sales only on the basis of defused representative samples in closed and covered displays within the fireworks showroom.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5622.3.1.2 Maximum size. A retail sales showroom that first begins to operate on or after June 30, 1997, and to which the public has access for retail purposes shall not exceed five thousand square feet in floor area.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.3.1.3 Floor plans. A newly constructed or existing fireworks showroom structure that existed on September 23, 2008, but that is constructed, altered or added to in a manner requiring the submission of plans, drawings, specifications, or data pursuant to section 3791.04 of the Revised Code, shall comply with a graphic floor plan layout that is approved by the state fire marshal and superintendent of the division of industrial compliance showing width of aisles, parallel arrangement of aisles to exits, number of exits per wall, maximum occupancy load, evacuation plan for occupants, height of storage or display of merchandise, and other information as may be required by the state fire marshal and superintendent.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.3.1.4 Egress plans. A fireworks showroom structure that exists on June 30, 1997, shall be in compliance on or after June 30, 1997, with floor plans showing occupancy load limits and internal circulation and egress patterns that are approved by the state fire marshal and superintendent of industrial compliance, and that are submitted under seal as required by section 3791.04 of the Revised Code.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.3.1.4 (a) A sufficiently sized and legible copy of the approved egress floor plan shall be prominently posted within the showroom structure near the main entrance.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5622.3.1.4 (b) Any proposed change to the approved egress floor plan shall be submitted to the state fire marshal and superintendent of the division of industrial compliance for approval.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5622.3.1.4 (b) Changes shall not be made to aisle widths, egress patterns, location or overall height of showroom fixtures or other elements of the approved egress floor plan without first obtaining the written approval of the state fire marshal and superintendent of the division of industrial compliance.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	Yes, both state and federal law	No, general rulemaking authority
1301:7-7-56	Shall not	5622.3.1.5 Occupancy load. The maximum occupant load for any retail sales showroom shall not exceed one occupant per sixty square feet of gross floor area.	3737.22(A), 3737.82, 3743.18(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5622.4 Representative sample showroom. All such representative sample showrooms shall be:	3737.22(A), 3737.82, 3743.18(A) and (B)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5622.4.2 Notice. Prior to any such construction, alteration, or use of a structure, or portion thereof, for public view of product representations, the licensee shall notify the state fire marshal in writing of the intent to alter, construct or utilize a structure, or portion thereof, for public viewing of product representations and obtain authorizations for such use and for the construction of or alteration of such structures, or portions thereof, in accordance with paragraph (T)(2)(5620.2) of this rule.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.17(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5622.4.4 A representative sample showroom shall not contain any pyrotechnics, pyrotechnic materials, explosives, explosive materials, fireworks, or any similar hazardous materials or substances.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	Yes, state law

1301:7-7-56	May not	5622.4.4 The public may not access any other portions of such structures.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5622.4.5 A representative sample showroom shall be used only for the public viewing of firework product representations, including paper materials, packaging materials, catalogs, photographs, or other similar product depictions.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C),	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.5.1 Sales from a licensed building. At no time shall a licensed manufacturer or wholesaler sell any class of fireworks outside a licensed building.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.17(C), 3743.04(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.5.1 A licensed manufacturer or wholesaler shall only sell 1.4G fireworks from a representative sample showroom or a retail sales showroom.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.5.1 The sale of fireworks from a storage building or magazine is prohibited and the general public shall be prohibited from such areas.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.17(H)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5622.5.3 Sales from a representative sample showroom. The delivery of product to a purchaser of fireworks at a licensed premises that has a representative sample showroom structure shall not occur inside any structure on a licensed premises, but shall occur on the licensed premises.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.5.3 Sales from a representative sample showroom. The delivery of product to a purchaser of fireworks at a licensed premises that has a representative sample showroom structure shall not occur inside any structure on a licensed premises, but shall occur on the licensed premises.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(C)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.5.4 Retail sales. All retail sales of 1.4G fireworks by a licensed manufacturer or wholesalers shall only occur from the inside of an approved retail sales showroom or a representative sample showroom, located on a licensed premises and from no other structure or device outside a licensed building.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(A)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5622.5.5 Wholesale sales. All wholesale sales of fireworks by a licensed manufacturer or wholesaler shall only occur from a licensed premises to persons who intend to resell the fireworks purchased at wholesale.	3737.22(A), 3737.82, 3743.18(A) and (B), 3743.25(B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5623.1 Waiver. An application from a licensed wholesaler to waive the business hour requirements of division (H) of section 3743.19 of the Revised Code shall contain all of the following information:	3737.22(A), 3737.82, 3743.18(A), 3743.19(H)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5623.1.6 The name, address and telephone number of a responsible person who shall have access and keys to all buildings on the premises.	3737.22(A), 3737.82, 3743.18(A), 3743.19(H)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5623.2 If a licensed wholesaler is granted a waiver pursuant to this paragraph and the wholesaler reopens the premises listed in the waiver for fireworks sales prior to the expiration date of the waiver period, the licensed wholesaler shall notify in writing the state fire marshal, local fire official and the local law enforcement officer of the date the wholesaler reopens.	3737.22(A), 3737.82, 3743.18(A), 3743.19(H)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5623.3 If a licensed wholesaler reopens pursuant to paragraph (W)(2)(5623.2) of this rule, any waiver granted to the wholesaler under this paragraph shall automatically expire.	3737.22(A), 3737.82, 3743.18(A), 3743.19(H)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5624.1.3 The storage location shall be in compliance with all other applicable federal, state, and local laws and regulations.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.04(I), 3743.17(G)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5624.2 Permitted uses of storage location. The storage location shall be considered part of the original licensed premises and shall use the same distinct number assigned to the original licensed premises with any additional designations as the state fire marshal deems necessary in accordance with section 3743.03 of the Revised Code.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.04(I), 3743.17(G)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5624.3 A licensee who obtains approval for the use of a storage location in accordance with division (I) of section 3743.04 of the Revised Code shall use the storage location exclusively for the following activities, in accordance with this rule:	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.04(J), 3743.17(H)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5624.3.1 Packaging, assembling, or storing of fireworks, by a licensed manufacturer, which shall only occur in buildings or structures approved for such hazardous uses by the building code official having jurisdiction for the storage location or, for 1.4G fireworks, in containers or trailers approved for such hazardous uses by the state fire marshal if such containers or trailers are not subject to regulation by the building code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.04(J), 3743.17(H)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5624.3.1 All such storage shall be in accordance with NFPA 1124 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A) and (B)	No, general rulemaking authority	Yes, state law

1301:7-7-56	Shall	5624.4 A licensee who obtains approval for the use of a storage location in accordance with division (G) of section 3743.17 of the Revised Code shall use the storage location exclusively for the following activities, in accordance with this rule:	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.04(J), 3743.17(H)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5624.4.1 Packaging, assembling, or storing fireworks, by a licensed wholesaler, which shall occur only in buildings or structures approved for such hazardous uses by the building code official having jurisdiction for the storage location or, for 1.4G fireworks, in containers or trailers are not subject to regulation by the building code as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.04(J), 3743.17(H)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5624.4.1 All such storage shall be in accordance with NFPA 1124 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A) and (B)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall not	5624.5 Limitations on sales activity at a storage location. A licensed manufacturer or wholesaler shall not engage in any sales activity, including the retail sale of fireworks otherwise permitted under division (C)(2) or (C)(3) of section 3743.04 of the Revised Code or pursuant to section 3743.44 or 3743.45 of the Revised Code, at the storage location approved in accordance with this rule.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.04(J), 3743.17(H)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5624.6 Prohibitions against public access. Each licensee responsible for a storage location shall prohibit public access to the storage location in accordance with this code.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.04(K), 3743.17(I)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Prohibit	5624.6 Prohibitions against public access. Each licensee responsible for a storage location shall prohibit public access to the storage location in accordance with this code.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.04(K), 3743.17(I)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5624.6.1 Storage locations shall be secured against unauthorized entry and safeguarded against inappropriate public access.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5624.6.1.1 Manufacturer's storage locations consisting only of approved trailers or similar approved structures shall include provisions that preclude public access by providing a 6-foot-high chain link fence a minimum of 10 feet from such trailer or structure that completely surrounds the trailer or similar structure in such a manner as to prohibit public access (or equivalent means) as approved by the state fire marshal.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.06(I)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Prohibit	5624.6.1.1 Manufacturer's storage locations consisting only of approved trailers or similar approved structures shall include provisions that preclude public access by providing a 6-foot-high chain link fence a minimum of 10 feet from such trailer or structure that completely surrounds the trailer or similar structure in such a manner as to prohibit public access (or equivalent means) as approved by the state fire marshal.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.06(I)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5624.6.1.2 Storage locations consisting only of storage buildings shall include provisions that preclude public access to all storage and use areas where fireworks are stored or present within such storage buildings including but not limited to, proper separation assemblies with approved locks and security devices.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.17(I)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5624.6.1.2 All such security measures and installation of locks or devices shall be in accordance with the building code as listed in rule 1301:7-7-80 of the Administrative Code and approved by the state fire marshal.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall	5624.6.1.3 Storage locations consisting of buildings, structures and trailers shall include provisions that preclude public access by means of fences, proper separation assemblies, locks, security devices, or equivalent means to prevent accidental or intentional contact with the fireworks present at the storage location, in accordance with the provisions of this paragraph, the building code as listed in rule 1301:7-7-80 of the Administrative Code, and this code as approved by the state fire marshal.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A), 3743.06(I)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	Shall not	5624.6.2 The public shall not access a storage location unless such access is otherwise permitted by this rule.	3737.22(A), 3737.82, 3743.04(K), 3743.18(A)	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-56	May not	5624.7 A storage location approved by the state fire marshal in accordance with divisions (G) and (I) of section 3743.04 of the Revised Code may not be relocated for a minimum period of five years.	3737.22(A), 3737.82, 3743.04(J) and (K), 3743.18(A), 3743.17(H)	No, general rulemaking authority	Yes, state law
1301:7-7-56	Shall	5625.1 If a person is required by the Ohio Revised Code or this rule to possess or display a license or permit issued or authorized pursuant to Chapter 3743. of the Revised Code to acquire, display, possess, store or transport fireworks, such person shall maintain a copy of that license at all times that person engages in any activity regulated by the rule.	3737.22(A), 3737.82, 3743.05, 3743.18, 3743.53, 3743.54, 3743.58	No, general rulemaking authority	Yes, state law

1301:7-7-56	Must	5625.1 For all license or permit holders, other than a licensed manufacturer or wholesaler of fireworks, a copy of such license or permit must be maintained with the fireworks associated with the license or permit and provided to any law enforcement or fire officials upon request.	3737.22(A), 3737.82, 3743.05, 3743.18, 3743.53, 3743.54, 3743.58	No, general rulemaking authority	Yes, state law
1301:7-7-57	Shall	5701.1 Scope and application. Prevention, control and mitigation of dangerous conditions related to storage, use, dispensing, mixing and handling of flammable and combustible liquids shall be in accordance with NFPA 30, the building code and mechanical code as listed in rule 1301:7-7-80 of the Administrative Code, rule 1301:7-7-50 of the Administrative Code and this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT LIMITS THE APPLICATION OF THE RULE: 5701.1.1 Notwithstanding paragraphs (B)(1)(102.1) and (B)(2)(102.2) of rule 1301:7-7-01 of the Administrative Code and unless otherwise noted in this rule, the provisions of this rule shall not apply to facilities, equipment, structures or installations existing or approved for construction or installation prior to the effective date of this rule, except in those cases where the fire code official demonstrates by a preponderance of the evidence that the existing facility, equipment, structure or installation creates a distinct hazard to life or adjacent property.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5701.4 In accordance with (E)(1)(a)(105.1.1) of rule 1301:7-7-01 of the Administrative Code, permits required for the installation, alterations to tanks, piping or appurtenances, abandonment, removal or to place temporarily out of service a stationary flammable or combustible liquid storage tank shall be obtained from the fire marshal when such permit is not issued by another officer listed in section 3737.14 of the Revised Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5703.5.4 Identification. Color coding or other approved identification means shall be provided at the point of loading and unloading for flammable or combustible liquids to identify the contents of the tank served by the riser.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall not	5703.6.5 Protection from external corrosion and galvanic action. Dissimilar metallic parts that promote galvanic action shall not be directly joined.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5703.6.6 Valves. Piping systems shall contain a sufficient number of valves, including manual control valves and check valves to operate the system properly and to provide protection under both normal and emergency conditions.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5703.6.6.2 Manual drainage. Manual drainage-control valves shall be located at approved locations appropriate for the facility that are remote from the tanks, diked area, drainage system and impounding basin to ensure valve operation in a fire condition.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5703.6.10 Pipe joints. Joints shall be liquid tight and shall be welded, flanged or threaded except that approved flexible connectors are allowed in accordance with paragraph (C)(6)(i)(5703.6.9) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5703.6.10 Pipe joints. Joints shall be liquid tight and shall be welded, flanged or threaded except that approved flexible connectors are allowed in accordance with paragraph (C)(6)(i)(5703.6.9) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5703.6.10 Threaded or flanged joints shall fit tightly by using methods and materials suitable for the type of joint.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.1.1 The aboveground tank storage of flammable and combustible liquids, shall be prohibited on premises to which the public has access.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.1.1 Exception 1. At a bulk plant or terminal, the public may access the facility premises but shall be prohibited from the bulk storage and transfer operation area in accordance with paragraph (D)(1)(b)(5704.1.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.1.1 Exception 2. At a property that contains a fleet vehicle motor fuel dispensing facility, the public may access the property but shall be prohibited from the fleet vehicle facility in accordance with paragraph (F)(3)(2306.3) of rule 1301:7-7-23 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.1.1 Exception 3. At premises that have an aboveground storage tank connected to stationary pieces of equipment such as internal combustion engine driven generators, fire pumps or other fixed pieces of equipment, the public may access the property but shall be prohibited from the aboveground fuel storage area in accordance with paragraph (D)(1)(b)(5704.1.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-57	Shall	5704.1.1 Exception 4. At a property containing a flammable or combustible liquid storage tank serving an on site electric generator used only for non-commercial purposes only at one-, two-, or three-family dwelling units where the flammable liquid storage tank(s) has a capacity of 60 gallons or greater or where the combustible liquid storage tank(s) has a capacity of 660 gallons or greater, the public may access the property but shall be prohibited access to the tank in accordance with paragraph (D)(1)(b)(5704.1.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.1.2 Security. Storage, dispensing, use and handling shall be secured against unauthorized entry and safeguarded against public access.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.1.2 Security. Aboveground tanks that are not enclosed in vaults shall be enclosed by a fence, as listed below, at least 6 feet (1.8 m) high.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.1.2 Security. The fence shall have a gate that is secured against unauthorized entry and shall either be:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.1.2 Security. The fence shall have a gate that is secured against unauthorized entry and shall either be:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.1.2 (ii) No gaps shall be more than 3 inches in width.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO FENCING REQUIREMENTS: 5704.1.2 Exception: Listed, lockable engine mounted tanks that are connected to stationary pieces of equipment shall not be required to be enclosed in vaults or to have fencing if all of the following apply: [as specified in rule]	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Require	5704.2.1 Change of tank contents. Prior to a change in contents, the fire code official is authorized to require testing of a tank to verify compatibility of the proposed new contents with the existing tank.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall not	5704.2.2 Use of tank vehicles and tank cars as storage tanks. Tank cars and tank vehicles shall not be used as <i>fixed</i> storage tanks.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.3.2 Vent line flame arresters and pressure-vacuum vents. Where installed, vent-line flame arresters or pressure-vacuum (PV) vents that remain closed unless venting under pressure or vacuum conditions shall be installed in normal vents of tanks containing Class IB and IC liquids.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.1. The local fire code official shall determine whether or not the repair of leaking and/or deteriorating underground storage tanks containing flammable or combustible liquids shall be permitted within its jurisdiction.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.1. The local fire code official shall determine whether or not the repair of leaking and/or deteriorating underground storage tanks containing flammable or combustible liquids shall be permitted within its jurisdiction.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.1. If such repair is permitted by the local fire code official, it shall be accomplished in the manner prescribed in paragraphs (D)(2)(g)(xi)(b)(5704.2.7.11.2) to (D)(2)(g)(xi)(e)(5704.2.7.11.5) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.2. Manufacturers desiring to have their product used in Ohio shall register the specifications for the internal coating systems for the repair of underground storage tanks containing flammable or combustible liquids with the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.2. The specifications shall clearly describe the composition of the product, strength, limitations on use, preparation procedures, application procedures, quality control techniques, curing times and temperatures, field thickness testing procedures, field hardness testing procedures, and a method for determining whether an existing tank is repairable.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.2. This information, along with the results of the standards tests, shall be signed and sealed by a registered professional engineer.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Must	5704.2.7.11.3. Each manufacturer who has registered an internal coating system must submit to the fire marshal a list of qualified applicators.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.3. The list shall indicate that the applicator is qualified to seal metal tanks, nonmetallic tanks or both.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.3. The internal coating procedure shall be in accordance with API 1631 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.4. The applicator shall inform the following officials of the location of each project in the following manner:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-57	Shall	5704.2.7.11.4. (i) The local fire official shall have in its possession a written notice stating the location of the project and the applicator's anticipated timetable for each stage of the project, prior to the commencement of the project.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.4. (i) A copy of such written notice shall be mailed to the state fire marshal simultaneously with its delivery to the local fire official.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.4. (iii) A current "Certificate of Insurance" covering the liability of the applicator shall be filed with the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.5. A "Certificate of Performance" shall be utilized as follows:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.5. (i) A "Certificate of Performance" on each field application shall be submitted to the local fire official.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.7.11.5. (i) The certificate (to be designed by the state fire marshal and printed and supplied by the contractor) shall be signed by the qualified applicator and will confirm that the tank preparation and product application complies with the sealant manufacturer's specifications which are registered with the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.8.1 Listing required. Exception. Installation plans for below-grade vaults that are constructed on site shall be prepared by, and the design shall bear the stamp of, a registered design professional.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.8.1 Listing required. Exception. Installation plans for below-grade vaults that are constructed on site shall be prepared by, and the design shall bear the stamp of, a registered design professional.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.8.3 Secondary containment. For field-erected vaults, liquid tightness shall be demonstrated by testing in an approved manner.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall not	5704.2.9 Above-ground tanks. Existing aboveground tank installations, even if previously approved, that are determined to constitute a hazard by the fire code official shall not be continued in service.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.9 Above-ground tanks. Unsafe tanks shall be brought into compliance with the provisions of this code or removed as required by the fire code official and in accordance with this code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.9.5.1 Locations where above-ground tanks are prohibited. The above-ground tank storage of flammable and combustible liquids, shall be prohibited on premises to which the public has access.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.9.5.1 Exceptions: 1. At a bulk plant or terminal, the public may access the facility premises but shall be prohibited from the bulk storage and transfer operation area in accordance with paragraph (D)(1)(b)(5704.1.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.9.5.1 Exceptions: 2. At a property that contains a fleet vehicle motor fuel dispensing facility, the public may access the property but shall be prohibited from the fleet vehicle facility in accordance with paragraph (F)(3)(2306.3) of rule 1301:7-7-23 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.9.5.1 Exceptions: 3. At premises that have an aboveground storage tank connected to stationary pieces of equipment such as internal combustion engine driven generators, fire pumps or other fixed pieces of equipment, the public may access the property but shall be prohibited from the aboveground fuel storage area in accordance with paragraph (D)(1)(b)(5704.1.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.9.5.1 Exceptions: 4. At a property containing a flammable or combustible liquid storage tank serving an on site electric generator used only for non-commercial purposes only at one-, two-, or three-family dwelling units where the flammable liquid storage tank(s) has a capacity of 60 gallons or greater or where the combustible liquid storage tank(s) has a capacity of 660 gallons or greater, the public may access the property but shall be prohibited access to the tank in accordance with paragraph (D)(1)(b)(5704.1.2) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.9.5.1.3 Location of tanks for boilover liquids. Above-ground tanks for the storage of liquids with boilover characteristics shall be located in accordance with Table 22.4.1.4 of NFPA 30 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.9.5.3 Separation between adjacent tanks containing flammable and combustible liquids and LP-gas. Dikes, diversion curbs, grading or other method approved by the fire code official shall be provided to prevent the accumulation of Class I, II or IIIA liquids under adjacent LP-gas containers.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-57	Shall	5704.2.11.3 Overfill protection and prevention systems. Underground storage tanks shall be equipped with a spill container and an overfill prevention system in accordance with NFPA 30 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.13.1.2 Out of service for 90 days. (i) Flammable or combustible liquids shall be removed from the tank to the extent practical.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.13.1.2 Out of service for 90 days. (i) No more than one-inch of liquid shall remain in the tank.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.2.13.1.3 Out of service for one year. Exception: Any request for an extension of the out of service period shall be submitted in writing prior to the end of the one year out of service period, or extension thereof, to the state fire marshal.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Must	5704.2.13.1.3 Out of service for one year. Exception: All such written requests for extension must contain the following information: [as specified in rule]	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.4.1 Plans. Storage of flammable and combustible liquids in closed containers and portable tanks outside of buildings shall be in accordance with approved site storage plans.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.4.1 Plans. Such site storage plans shall be submitted to the fire code official at the time of notification or with the permit application as required in rule 1301:7-7-01 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.4.2 Location on property. Outdoor storage of liquids in closed containers and portable tanks shall be in accordance with Table 5704.4.2 of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.4.2.2 Access. Storage of closed containers or portable tanks shall be provided with fire apparatus access roads in accordance with rule 1301:7-7-05 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.4.2.3 Security. The storage area shall be protected against tampering or trespassers in accordance with paragraph (D)(1)(b)(5704.1.2) of this rule and shall be kept clear of weeds, debris and other combustible materials not necessary to the storage.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.4.2.3 Security. The storage area shall be protected against tampering or trespassers in accordance with paragraph (D)(1)(b)(5704.1.2) of this rule and shall be kept clear of weeds, debris and other combustible materials not necessary to the storage.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.4.2.4 Storage adjacent to buildings. Where the quantity stored exceeds 1,100 gallons (4163 L) adjacent to a building complying with paragraph (D)(4)(b)(iv)(a)(5704.4.2.4) of this rule, or the provisions of paragraph (D)(4)(b)(iv)(a)(5704.4.2.4) of the rule cannot be met, a minimum distance in accordance with Table 5704.4.2 of this rule column 7 (“Minimum distance to lot line of property that can be built upon”) shall be maintained between buildings and the nearest closed container or portable tank.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.4.8 Empty <i>closed</i> containers and <i>portable</i> tank storage. The storage of empty <i>portable</i> tanks and <i>closed</i> containers previously used for the storage of flammable or combustible liquids, unless free from explosive vapors, shall be stored as required for filled <i>closed</i> containers and <i>portable</i> tanks.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5704.4.8 Empty closed containers and portable tank storage. Portable tanks and closed containers when emptied shall have the covers or plugs immediately replaced in openings.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall not	5705.3.6.2.3 Solvent quantity limits. (iii) The total quantities shall not exceed an aggregate of 480 gallons (1817 L) per control area in buildings equipped throughout with an automatic sprinkler system in accordance with paragraph (C)(3)(a)(i)(903.3.1.1) of rule 1301:7-7-09 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5705.3.7.5.3 Spill control and secondary containment. Spill control shall be provided in accordance with paragraph (C)(4)(5703.4) of this rule where Class I, II or IIIA liquids are dispensed into containers or tanks exceeding a 1.3 gallon (5 L) capacity or mixed or used in open containers, tanks or systems exceeding a 5.3-gallon (20 L) capacity.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5705.3.7.5.3 Spill control and secondary containment shall be provided in accordance with paragraph (C)(4)(5703.4) of this rule where the capacity of an individual container or tank exceeds 55 gallons (208 L) or the aggregate capacity of multiple containers or tanks exceeds 100 gallons (378.5 L).	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5705.3.8 Use, dispensing and handling outside of buildings. Dispensing of flammable and combustible liquids at motor fuel-dispensing facilities shall be in accordance with rule 1301:7-7-23 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-57	Shall	5705.5 Alcohol-based hand rubs classified as Class I or II liquids. 5. Exception: Facilities may install and use automatically activated alcohol based handrub dispensing devices only in compliance with paragraph (E)(5)(5705.5) of this rule and as follows: 1. The automatically activated dispensing device shall be listed as being in compliance with UL/CE 60601-1 and IEC 60601-1-2 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5705.5 Alcohol-based hand rubs classified as Class I or II liquids. 5. Exception: Facilities may install and use automatically activated alcohol based handrub dispensing devices only in compliance with paragraph (E)(5)(5705.5) of this rule and as follows: 2. The facility or person responsible for the dispensers shall test the dispensers per the manufacturer's instructions each time a new refill is installed.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5705.5 Alcohol-based hand rubs classified as Class I or II liquids. Exception: Facilities may install and use automatically activated alcohol based handrub dispensing devices only in compliance with paragraph (E)(5)(5705.5) of this rule and as follows: 3. The dispensing device shall be designed and must operate in a manner that ensures accidental and/or malicious activations of the dispensing device are minimized.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Must	5705.5 Alcohol-based hand rubs classified as Class I or II liquids. 5. Exception: Facilities may install and use automatically activated alcohol based handrub dispensing devices only in compliance with paragraph (E)(5)(5705.5) of this rule and as follows: 3. The dispensing device shall be designed and must operate in a manner that ensures accidental and/or malicious activations of the dispensing device are minimized.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5705.5 Alcohol-based hand rubs classified as Class I or II liquids. 5. Exception: Facilities may install and use automatically activated alcohol based handrub dispensing devices only in compliance with paragraph (E)(5)(5705.5) of this rule and as follows: 4. At a minimum, all devices subject to or used in accordance with this paragraph shall have the following safety features:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5705.5 Alcohol-based hand rubs classified as Class I or II liquids. 5. Exception: Facilities may install and use automatically activated alcohol based handrub dispensing devices only in compliance with paragraph (E)(5)(5705.5) of this rule and as follows: 4.1 Any activations of the dispensing device shall only occur when an object is placed within 4 inches (101.6 mm) of the sensing device.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall not	5705.5 Alcohol-based hand rubs classified as Class I or II liquids. 5. Exception: Facilities may install and use automatically activated alcohol based handrub dispensing devices only in compliance with paragraph (E)(5)(5705.5) of this rule and as follows: 4.2 The dispenser shall not dispense more than the required product for hand hygiene consistent with label instructions as regulated by the "Food and Drug Administration."	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Must	5705.5 Alcohol-based hand rubs classified as Class I or II liquids. 5. Exception: Facilities may install and use automatically activated alcohol based handrub dispensing devices only in compliance with paragraph (E)(5)(5705.5) of this rule and as follows: 4.4 The manufacturer must certify that the dispenser has an auto-calibration feature that will respond to environmental stimulus and reduce activation sensitivity upon repetitive activations making it increasingly more difficult to activate the unit.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.2 Storage and dispensing of flammable and combustible liquids on farms and construction sites. Permanent and temporary storage and dispensing of Class I and II liquids for private use at areas used for agricultural purposes and at construction sites, earth-moving projects, gravel pits and borrow pits shall be in accordance with paragraphs (F)(2)(a)(5706.2.1) to (F)(2)(h)(i)(5706.2.8.1) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.2.8 Dispensing from tank vehicles. Where approved, liquids used as fuels are allowed to be transferred from tank vehicles into the tanks of motor vehicles or special equipment, provided: 1. The tank vehicle's functions shall include supplying fuel to motor vehicle fuel tanks.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
	Shall not	5706.2.8 Dispensing from tank vehicles. 2. The dispensing hose shall not be exceeded from the reel or be more than 100 feet (30 480 mm) in length.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.2.8.1 Separation distance. Dispensing from tank vehicles shall be conducted not less than 15 feet (4572 mm) from structures, property lines or combustible storage.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.4.1.1 Dispensing from bulk plants prohibited. The dispensing of flammable or combustible liquids from aboveground bulk storage tanks located at a bulk plant shall be prohibited.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-57	Shall not	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT PROVIDES AN EXEMPTION FOR CERTAIN DISPENSING OPERATIONS: 5706.4.11 Exception: The dispensing of diesel fuel at a terminal or bulk plant into a motor vehicle that is transporting petroleum products or equipment essential to the operation of the terminal or bulk plant, provided that the motor vehicle is owned or leased by or operated under a contract with a person who has been issued a motor fuel dealers license under section 5735.02 of the Revised Code. For such dispensing, the provisions of this rule governing capacity limitations shall not apply.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.4.11.1. Aboveground storage tanks and associated dispensers utilized for dispensing purposes at a fleet vehicle motor fuel dispensing facility located at a bulk plant shall be separated from bulk plant operations (bulk tanks and loading racks) by a minimum of 100 feet.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.4.11.1.1. The dispensing tanks and dispensers shall be installed in compliance with paragraphs (D)(5704) and (E)(5705) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall not	5706.4.11.1.2. The individual capacity of the tanks shall not exceed 12,000 gallons and the aggregate capacity shall not exceed 48,000 gallons.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall not	5706.4.11.1.2. The individual capacity of the tanks shall not exceed 12,000 gallons and the aggregate capacity shall not exceed 48,000 gallons.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.4.11.1.2. Dispensing areas containing the maximum aggregate capacity shall be separated from each other and the bulk plant operations by a minimum of 100 feet.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.4.11.1.3. At a property that contains a fleet vehicle motor fuel dispensing facility, the public may access the property but shall be prohibited from the fleet vehicle facility.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.5.1.1 Location. Bulk transfer and process transfer operations shall be conducted in locations properly protected from ignition sources.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.5.1.1 Location. Tank vehicle transfer facilities and tank car transfer facilities shall be separated from buildings, above-ground tanks, combustible materials, lot lines, public streets, public alleys or public ways by a distance of 25 feet (7620 mm) for Class I liquids and 15 feet (4572 mm) for Class II and III liquids measured from the nearest position of any loading or unloading valve.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.5.1.18 Security. Transfer operations shall be surrounded by a chain link fence not less than 6 feet (1.8 m) in height.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.5.4.5 Commercial, industrial, governmental or manufacturing. Dispensing of Class I, II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed provided such dispensing operations are conducted in accordance with the following: (a) The owner of the mobile fueling operation shall notify the local fire code official of their intent to conduct mobile fueling operations at a commercial, industrial, governmental, or manufacturing establishment.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall not	5706.5.4.5 Commercial, industrial, governmental or manufacturing. (c) Dispensing operations shall not take place within 15 feet (4572 mm) of buildings, property lines, combustible storage or storm drains.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.5.4.5 Commercial, industrial, governmental or manufacturing. (i) Materials and equipment, such as absorbent pads, shall be provided to mitigate a minimum 5-gallon (19 L) fuel spill.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.5.4.5 Commercial, industrial, governmental or manufacturing. (j) Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak or spill in accordance with 49 CFR 172.704 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.5.4.5 Commercial, industrial, governmental or manufacturing. (n) The engines of vehicles being fueled shall be shut off during the dispensing operation unless the continued operation of the engine is necessary to protect the cargo of the vehicle or to maintain the vehicle's operation.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.5.4.5 Commercial, industrial, governmental or manufacturing. (r) Sufficient space shall be left in the motor vehicle tank to allow for the possible expansion of motor vehicle fuel.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-57	Shall	5706.5.4.5 Commercial, industrial, governmental or manufacturing. (t) In the event of an unauthorized discharge, action shall be taken to prevent liquids spilled during dispensing operations from flowing into buildings or offsite.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

1301:7-7-57	Shall	5706.6.2.3 Duration exceeding 1 hour. Tank vehicles parked at one point for longer than 1 hour shall be located off of public streets, highways, public avenues or alleys, and in accordance with either of the following: [as specified in rule]	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6101.2 Permits. Permits shall be required as set forth in rule 1301:7-7-01 of the Administrative Code for stationary installations utilizing storage containers over 2,000 gallons individual water capacity; or, for all rooftop installations of ASME containers; or, for multiple containers exceeding 4,000 gallons water capacity aggregate.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall not	6103.2.1.1 Use in basement, pit or similar location. LP-gas containers shall not be used in a basement, pit or similar location where heavier-than-air gas might collect unless otherwise permitted by NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6103.2.1.4.1. Cylinders not connected for use shall be stored in accordance with paragraph (I)(6109) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall not	6103.2.1.4.1. Exception: Cylinders shall not be stored in a laboratory room.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6103.2.1.7.1. Cylinders used with commercial food service appliances shall be used inside restaurants and in attended commercial food catering operations in accordance with the following:	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6103.2.1.7.1. (i) Cylinders and appliances shall be listed.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall not	6103.2.1.7.1. (ii) Commercial food service appliances shall not have more than two 10-ounce (296 ml) nonrefillable butane gas cylinders, each having a maximum capacity of 1.08 lb (0.490 Kg).	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6103.2.1.7.1. (iii) Cylinders shall comply with UL 147B as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6103.2.1.7.1. (iv) Cylinders shall be connected directly to the appliance and shall not be manifolded.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall not	6103.2.1.7.1. (iv) Cylinders shall be connected directly to the appliance and shall not be manifolded.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6103.2.1.7.1. (v) Cylinders shall be an integral part of the listed, approved, commercial food service device and shall be connected without the use of a rubber hose.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6103.2.1.7.1. (v) Cylinders shall be an integral part of the listed, approved, commercial food service device and shall be connected without the use of a rubber hose.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6103.2.1.7.1. (vi) Storage of cylinders shall be in accordance with paragraph (I)(6109) of this rule.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	THE FOLLOWING CONTAINS PROSCRIPTIVE LANGUAGE BUT DOES NOT CONSTITUTE A REGULATORY RESTRICTION IN THAT IT IS AN EXCEPTION TO CITING REQUIREMENTS: 6104.2 Maximum capacity within established limits. Exception 2: Where LP-gas storage containers having an aggregate water capacity of more than 4,000 gallons (15.1 m3) are located in heavily populated or congested areas, the citing provisions of paragraph (D)(6104) of this rule shall be permitted to be modified as indicated by the fire safety analysis described in section 6.25.3 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6104.4 Multiple LP-gas container installations. (f) Where the provisions of sections 6.26.3 and 6.26.4 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code are met, the minimum separation distance between groups of ASME containers protected by hose stream only shall be one-half the distances in Table 6.5.3 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall not	6105.1 Nonapproved equipment. LP-gas shall not be used for the purpose of operating devices or equipment unless such device or equipment is approved for use with LP-gas in accordance with Chapter 5 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6106.1 Attendants. Dispensing of LP-gas shall be performed by a qualified attendant in accordance with section 4.4 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6107.5 Transfer. Transfer of LP-gas to and from an LP-gas container shall be conducted with permission of the owner of the container.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall not	6109.7 Storage in basement, pit or similar location. LP-gas containers shall not be stored in a basement, pit or similar location where heavier-than-air gas might collect unless otherwise permitted by NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority
1301:7-7-61	Shall	6109.9.1. Storage in restaurants and at food service locations of 10 ounces (283 g) butane nonrefillable containers shall be limited to no more than 24 containers, and an additional twenty-four 10 ounce (283 g) butane nonrefillable containers stored in another location within the building, where constructed with at least a 2-hour fire wall protection.	3737.22(A), 3737.82	No, general rulemaking authority	No, general rulemaking authority

