

Chairman Young, respected members of the Ohio General Assembly and others present:

My name is Robert J. Schutz (s-c-h-u-t-z), a current member and Past President of the Ohio Building Officials Association (OBOA) and a part-time contract building code instructor for the International Code Council. I am a registered Professional Engineer and Professional Land Surveyor in Ohio and am retired from the Ohio Army National Guard and the U.S. Army Corps of Engineers. I currently serve as the Assistant Chief Building Official for the City of Columbus, and appear on behalf of Amit Ghosh, Chief Building Official.

Proponent testimony to proposed House Bill No. 128 of the 132<sup>nd</sup> General Assembly (Ohio) indicates that the need for this proposed legislation is created by failures of building departments to provide field inspections of building construction in a timely manner so as to not delay construction needlessly. Sponsor testimony on April 25<sup>th</sup> stated, “No matter how efficient and organized a construction company may be, if the inspections are delayed, this holds up progress on the project. The delays are costly not only for the construction company and their subcontractors, but also for the customer of the project who, in turn, might have customers of their own: all put on hold as the critical path to building is hamstrung by inspection delays.” To the contrary of that belief, we believe that current inspection procedures created by the Ohio Revised Code acting through Section 3781.06, ORC and through Section 108 of the Ohio Building Code, entitled Inspection Process are superior to that proposed. A portion of Subsection 108.1, OBC states: “Construction or work for which an approval is required shall be subject to inspection. . . . Such construction or work shall remain accessible and exposed for inspection purposes until the work has been inspected to verify compliance with the approved construction documents, but failure of the inspectors to inspect the work within four (working) days, . . . after the work is ready for inspection, allows the work to proceed. Thus the Ohio Building Code has definitive guidance for inspections that any contractor who has adequately and properly “organized” their project, can build the four day into their project management schedule so that there are no delays.

Further, we would point out that a portion of the Yearly Annual Report that all certified building departments are required to submit to and be reviewed by the Ohio Board of Building Standards, requires the detailed reporting of the numbers and types of inspections conducted. We believe that you might find the recent statistics from the City of Columbus of interest and supportive of our opposition to HB #128, keeping in mind please that we are permitted four working days to respond to an inspection request:

During 2015 we were requested to perform 85,979 inspections, had 2,639 inspections that were not completed within 24-hours of request which means that we completed 83,340 inspections within the same day for a same day completion of 96.93%! In 2016, the year just completed we had 82,904 inspections requested and completed 81,363 within 24 hours for a same day completion of 98.14%. We always inspect in less than four working days –in other words, we outperform the requirement.

Also, in the ten years that I was Chief Building Official of Powell, Ohio, I can verify that our completion rates there were equivalent to the Columbus results, and often achieved 100% same day inspections month after month.

As a former member of the Ohio Board of Building Standards, I believe that the Ohio Legislature has properly assigned and delegated authority to that board to provide building codes, including their administrative requirements and procedures, that seek to permit construction in an orderly and timely manner, while ensuring protection of public health, safety and welfare in our built environment. For this and other reasons, we must oppose this legislation with the simple suggestion that concerns about any building department or staff may be referred to the Board of Building Standards. Having also served as a staff member at OBBS I can attest to the fact that they take all complaints seriously and handle them discretely.

These are my prepared remarks, but as a plumber and sheet metal worker since the late 1960's and inspector and plans examiner since 1990, I would be pleased to answer any questions.

We sincerely thank you for your consideration.

AMIT B. GHOSH, CHIEF BUILDING OFFICIAL  
CITY OF COLUMBUS

BY

ROBERT J. SCHUTZ, P.E., P.S., CBO  
MAY 23, 2017