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Ohio House of Representatives Commerce and Labor Committee
Chairman Ron Young
May 23, 2017

HB 128 Opponent Testimony

I have been employed by the City of Vandalia, OH building inspection division for 29 years and have been the Chief Building Official for the past 22 years. The building inspection division is an integral part of the City's Development and Engineering Services Department, and as such works diligently to assist businesses through the construction phase and into the role of a viable operation business.

I oppose HB 128 as I feel it is unnecessary legislation which attempts to solve a perceived problem that, when encountered, can easily be addressed with current regulations. All certified building departments within the State of Ohio must operate within the scope of regulations mandated by the Ohio Board of Building Standards (OBBS) and the Ohio Ethics Commission. When a complaint is filed that a certified building department is not functioning in a professional manner, the OBBS has the authority and responsibility to investigate and require corrections if the complaint is valid.

There are mechanisms already in place to propose changes to the standards for operations that apply to all building departments. An example is the current requirement of conducting an inspection within 4 business days of the request. If this timeframe of 4 days is considered to be too long, a rule should be initiated through existing channels not legislation. I firmly believe most jurisdictions strive to provide inspection services within 24 hours, but most good project managers know how to plan ahead and coordinate their work to request inspections well ahead of the 24 hours. This is normally the same concept as ordering other goods and services. If a project manager doesn't know several days ahead what will be needed on the project, the progress will be stymied. The theory that building inspection departments prefer to slow projects down and send their staff out multiple times is simply not realistic.

HB 128 could allow a contractor to simply skip over a building department, that may be functioning at a high level, in hopes of shopping for a less knowledgeable inspector. We would be naive to believe this would not create ethical issues as HB 128 would promote the use of a third-party inspection service that may not act as an impartial enforcement agency. Competition among third-party inspection services for who can be the most lenient would not promote safe buildings. This is not in the best interest of the citizens of the State of Ohio or the City of Vandalia and could very well lead to substandard inspections and compromise safety.

Ted Baker

Chief Building Official
City of Vandalia, OH