

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

132nd General Assembly

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Sub. H. B. No. 127

Representatives Perales, Dever

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

A BILL

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

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

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

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

Revised Code that relate to fire prevention. 18

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

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

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

of those chapters. 48

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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