

# OHIO BUILDING OFFICIALS ASSOCIATION



Founded 1961

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Honorable Senator Matt Dolan Chair,  
Finance Committee  
1 Capital Square  
Columbus OH 43215  
Elizabeth.Baumgartner@ohiosenate.gov

Thank you for the opportunity to submit written opponent testimony regarding proposed legislation HB 33 that is currently before the Senate Finance Committee. The Ohio Building Officials Association (OBOA) is a professional association founded in 1961 to promote Life Safety through building codes with improved responsiveness and consistency in enforcement. After reviewing the proposed legislation it is OBOA's understanding that the health, safety and welfare of all Ohioans will be negatively impacted.

Proposed HB 33, page 1788 lines 54857-54875 proposes to add new ORC 3781.032 which states that if a building department or fire department cannot conduct an inspection or issue a permit within five business days to a retail establishment, then the retail building owner or owner's representative may obtain a temporary permit or inspection from any building code official authorized elsewhere in the state. This proposed new section is flawed for the following reasons:

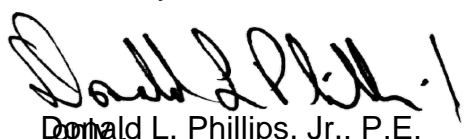
1. The Ohio Building Code does not describe permits. Permits are provisions of local jurisdictions and therefore no one that is not employed by the local jurisdiction would have authority to issue a temporary permit.

2. The Ohio Building Code currently allows that if after four business days not five, the work is allowed to proceed. The proposed legislation adds one day before the owner can act and then requires them to seek out another code official to perform an inspection. How much time will this add to obtaining compliance? The current code provides a better solution.

Currently, the Board of Building Standards is engaged in the process to update the Building Code and is doing much work to reduce what is written into the Ohio Administrative Code in order to meet the requirements of SB9. By requiring and adopting this new rule, the intent of the rule reduction of SB9 is being contradicted. This problem already has a solution in the existing code.

The Ohio Building Official's Association has special knowledge of the impacts of code requirements and the impact of this legislation will only confuse and lengthen the approval process.

Sincerely,



Donald L. Phillips, Jr., P.E.  
President

Ohio Building Officials Association