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136th General Assembly
Regular Session
2025-2026

Sub. H. B. No. 361

To amend sections 122.06, 303.15, 519.02, 519.03,
519.15, 519.25, 711.09, 3781.031, 3781.10,
3791.04, and 5552.02 and to enact sections
303.123, 519.023, 519.024, 519.123, 713.211,
713.35, 3781.181, 3791.043, and 5552.12 of the
Revised Code to require townships with a
population of 5,000 or more to adopt a zoning
plan and to make other changes regarding
building inspections, local regulations, and
zoning.

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

Section 1. That sections 122.06, 303.15, 519.02, 519.03,
519.15, 519.25, 711.09, 3781.031, 3781.10, 3791.04, and 5552.02
be amended and sections 303.123, 519.023, 519.024, 519.123,
713.211, 713.35, 3781.181, 3791.043, and 5552.12 of the Revised
Code be enacted to read as follows:

Sec. 122.06. The department of development shall:

(A) Assemble, analyze, and make available to governmental
agencies and the public, information relative to the human,
natural, and economic resources and economic needs of the state;



(B) Prepare and maintain, in cooperation with departments 20
and agencies of the state, comprehensive plans and 21
recommendations for promotion of more desirable patterns of 22
growth and development of the resources of the state; 23

(C) Assist in the coordination of development plans of 24
federal, state and local governments, regional and local 25
planning authorities, and private agencies; 26

(D) Provide planning assistance to state departments and 27
agencies, political subdivisions, county planning commissions, 28
regional planning units, councils of government, and local 29
governments of this state. Such planning assistance may be 30
rendered with respect to surveys, land use studies, urban 31
renewal plans, technical services and other planning work. In so 32
doing, the department may employ a certified planner and may 33
contract with municipal subdivisions, with regional planning 34
commissions, and with qualified persons, firms, and agencies. 35

(E) Cooperate with federal agencies and authorities of 36
other states in the solution of community and development 37
problems which cross state lines; 38

(F) Recommend guidelines for the development and 39
management of new communities; 40

(G) Prepare and maintain rules concerning certification of 41
workable programs for impacted cities pursuant to division (C) 42
of section 1728.01 of the Revised Code, provided that the 43
department shall consult with officials of municipalities and 44
representatives of statewide organizations of such officials 45
prior to the preparation, adoption, or change of such rules. 46

Sec. 303.123. (A) As used in this section, "entitlement" 47
means any land use decision requiring an approval by a public 48

body or elected official, including, but not limited to, a 49
variance, special or conditional use, zoning change, planned 50
unit development, or other special approval. 51

(B) Except as otherwise provided in the Revised Code, 52
every entitlement application shall receive at least one public 53
hearing. The public hearing shall occur not later than thirty 54
days after the entitlement application is submitted and every 55
entitlement application shall be resolved via approval or denial 56
not more than ninety days after the application is filed, unless 57
the applicant requests an extension of up to an additional sixty 58
days. Alternatively, the applicant may request to table the 59
application, which shall pause the thirty- or ninety-day time 60
period until the applicant provides notice to resume 61
consideration. An extension, tabling, or resumption shall be 62
requested in person at a meeting where the application is being 63
considered or in writing delivered to the clerk of the board of 64
county commissioners. This section does not apply if a material 65
revision is made to the application after the original 66
submission. The county board or commission conducting the 67
hearing shall provide notice of the hearing not less than 68
fourteen days before the hearing, as follows: 69

(1) To the owners of the property within the area proposed 70
to be changed or affected by the proposed entitlement change, to 71
the owners of property adjacent such area, and to the owners of 72
property located within one hundred fifty feet of such area, via 73
a mailed postcard that includes the date, time, and location of 74
the hearing; 75

(2) By posting one or more signs within the area proposed 76
to be changed or affected by the proposed entitlement change 77
that include the date, time, and location of the hearing; 78

(3) By posting on the web site of the county, including 79
the date, time, and location of the hearing, a description of 80
the proposed entitlement change, and a web link to relevant 81
documents. 82

Sec. 303.15. The county board of zoning appeals shall 83
organize and adopt rules in accordance with the zoning 84
resolution. Meetings of the board of zoning appeals shall be 85
held at the call of the chairperson, and at such other times as 86
the board determines. The chairperson, or in the chairperson's 87
absence the acting chairperson, may administer oaths, and the 88
board of zoning appeals may compel the attendance of witnesses. 89
All meetings of the board of zoning appeals shall be open to the 90
public. The board of zoning appeals shall keep minutes of its 91
proceedings showing the vote of each regular or alternate member 92
upon each question, or, if absent or failing to vote, indicating 93
such fact, and shall keep records of its examinations and other 94
official actions, all of which shall be immediately filed in the 95
office of the board of county commissioners and be a public 96
record. 97

Appeals to the board of zoning appeals may be taken by any 98
person aggrieved or by any officer of the county affected by any 99
decision of the administrative officer. Such appeal shall be 100
taken within twenty days after the decision by filing, with the 101
officer from whom the appeal is taken and with the board of 102
zoning appeals, a notice of appeal specifying the grounds. The 103
officer from whom the appeal is taken shall transmit to the 104
board of zoning appeals all the papers constituting the record 105
upon which the action appealed from was taken. 106

The board of zoning appeals shall fix a reasonable time 107
for the public hearing of the appeal, and shall give at least 108

~~ten days' notice in writing to the parties in interest, and give~~ 109
~~notice of such public hearing by one publication at least ten~~ 110
~~days before the date of such hearing, using at least one of the~~ 111
~~following methods:~~ 112

~~(A) In the print or digital edition of a newspaper of~~ 113
~~general circulation within the county;~~ 114

~~(B) On the official public notice web site established~~ 115
~~under section 125.182 of the Revised Code;~~ 116

~~(C) On the web site and social media account of the~~ 117
~~county~~as specified in section 303.123 of the Revised Code. 118

Upon the hearing, any person may appear in person or by 119
attorney. 120

The boards of zoning appeals shall decide the appeal 121
~~within a reasonable time not more than thirty calendar days~~ 122
after it is submitted. 123

Sec. 519.02. (A) Except as otherwise provided in this 124
section, in the board of township trustees of a township with a 125
population of five thousand or more as of the most recent 126
federal decennial census shall, and all other townships may, 127
adopt a comprehensive plan by resolution to regulate the 128
following for the following purposes: 129

(1) In the interest of the public health and safety,~~the~~ 130
~~board of township trustees may regulate by resolution, in~~ 131
~~accordance with a comprehensive plan,~~ the location, height, 132
bulk, number of stories, and size of buildings and other 133
structures, including tents, cabins, and trailer coaches, 134
percentages of lot areas that may be occupied, set back building 135
lines, sizes of yards, courts, and other open spaces, the 136
density of population, the uses of buildings and other 137

structures, including tents, cabins, and trailer coaches, and 138
the uses of land for trade, industry, residence, recreation, or 139
other purposes in the unincorporated territory of the township. 140
~~Except as otherwise provided in this section, in~~ 141

(2) In the interest of the public convenience, comfort, 142
prosperity, or general welfare, ~~the board by resolution, in~~ 143
~~accordance with a comprehensive plan, may regulate~~ the location 144
of, set back lines for, and the uses of buildings and other 145
structures, including tents, cabins, and trailer coaches, and 146
the uses of land for trade, industry, residence, recreation, or 147
other purposes in the unincorporated territory of the township, ~~and~~ 148
and. The board may establish reasonable landscaping standards 149
and architectural standards excluding exterior building 150
materials in the unincorporated territory of the township for 151
these purposes. ~~Except as otherwise provided in this section, in~~ 152

(3) In the interest of the public convenience, comfort, 153
prosperity, or general welfare, ~~the board may regulate by~~ 154
~~resolution, in accordance with a comprehensive plan, for~~ 155
nonresidential property only, the height, bulk, number of 156
stories, and size of buildings and other structures, including 157
tents, cabins, and trailer coaches, percentages of lot areas 158
that may be occupied, sizes of yards, courts, and other open 159
spaces, and the density of population in the unincorporated 160
territory of the township. 161

(B) For all these purposes, in the case of a township with 162
a population of five thousand or more the board shall divide 163
all, and in the case of other townships the board may divide all 164
or any part, of the unincorporated territory of the township 165
into districts or zones of such number, shape, and area as the 166
board determines. All such regulations shall be uniform for each 167

class or kind of building or other structure or use throughout 168
any district or zone, but the regulations in one district or 169
zone may differ from those in other districts or zones. 170

(C) For any activities permitted and regulated under 171
Chapter 1513. or 1514. of the Revised Code and any related 172
processing activities, the board of township trustees may 173
regulate under the authority conferred by this section only in 174
the interest of public health or safety. A zoning resolution 175
authorized under this section shall provide for the activities 176
that are permitted and regulated under Chapter 1514. of the 177
Revised Code, and any related processing activities, as either a 178
permitted use or a conditional use through the board of zoning 179
appeals in any district or zone when such activities are to be 180
added to an existing permit issued under Chapter 1514. of the 181
Revised Code. 182

~~(B)~~ (D) A board of township trustees that pursuant to this 183
chapter regulates adult entertainment establishments, as defined 184
in section 2907.39 of the Revised Code, may modify its 185
administrative zoning procedures with regard to adult 186
entertainment establishments as the board determines necessary 187
to ensure that the procedures comply with all applicable 188
constitutional requirements. 189

Sec. 519.023. (A) The following apply to a township that 190
has a population of five thousand or more as of the most recent 191
federal decennial census: 192

(1) In the case of a township that does not have a plan in 193
effect on the effective date of this section, the township shall 194
consult with the decennial plan review commission established in 195
division (B) of this section and with the department of 196
development during the development of the plan. 197

(2) Not later than the last day of December of the year 198
during which the township first adopts a comprehensive zoning 199
plan under this chapter, the township shall submit the plan to 200
the department of development. A township that has a plan in 201
effect on the effective date of this section shall submit the 202
plan not later than the last day of December of the year during 203
which this section takes effect. 204

(3) During the year that is ten years after the year the 205
plan was submitted under division (A) (2) of this section, and 206
every ten years thereafter, the township shall do both of the 207
following: 208

(a) Complete a comprehensive review and update of its plan 209
in consultation with the decennial plan review commission 210
established in division (B) of this section and in consultation 211
with the department of development; 212

(b) Not later than the last day of December, submit the 213
updated plan to the department of development. 214

(B) (1) In each township that has a population of five 215
thousand or more as of the most recent federal decennial census 216
there shall be a decennial plan review commission consisting of 217
the following members: 218

(a) Six members appointed by the board of township 219
trustees. The following are suggested, but not required, for 220
appointment by the board: 221

(i) One member of the board of township trustees; 222

(ii) One member of the township zoning commission; 223

(iii) The planning director, consulting planning officer, 224
or regional planning director; 225

<u>(iv) The engineering director or consulting engineer;</u>	226
<u>(v) The township law director or, if the township does not</u>	227
<u>have a law director, the prosecuting attorney of the county;</u>	228
<u>(vi) The township administrator or consultant.</u>	229
<u>(b) Three to five community stakeholders appointed by the</u>	230
<u>members listed under division (B) (1) (a) of this section.</u>	231
<u>(2) The members under division (B) (1) (a) of this section</u>	232
<u>shall be appointed not later than the first day of January of</u>	233
<u>the year during which the decennial plan review commission will</u>	234
<u>provide consultation under this section. The members under</u>	235
<u>division (B) (1) (b) of this section shall be appointed not later</u>	236
<u>than the fifteenth day of January of the year during which the</u>	237
<u>decennial plan review commission will provide consultation under</u>	238
<u>this section.</u>	239
<u>(3) Any vacancy shall be filed in the manner of the</u>	240
<u>original appointment.</u>	241
<u>(4) The members shall serve without compensation.</u>	242
<u>(5) The commission shall terminate upon submission of the</u>	243
<u>plan to the department of development.</u>	244
<u>Sec. 519.024. The board of township trustees, township</u>	245
<u>zoning commission, and township board of zoning appeals shall</u>	246
<u>use the township's comprehensive zoning plan as the basis for</u>	247
<u>land use decisions. Within any decision or resolution related to</u>	248
<u>zoning, the board or commission shall provide a written</u>	249
<u>narrative describing how its decision or resolution conforms</u>	250
<u>with the township's comprehensive zoning plan.</u>	251
<u>Sec. 519.03. This section applies only to a township with</u>	252
<u>a population of less than five thousand as of the most recent</u>	253

federal decennial census. 254

Before availing itself of the powers conferred by section 255
519.02 of the Revised Code, the board of township trustees shall 256
pass a resolution declaring its intention to proceed under 257
sections 519.02 to 519.25 of the Revised Code. The board may act 258
in the following manner: 259

(A) It may adopt such a resolution upon its own 260
initiative. 261

(B) It shall adopt such a resolution if there is presented 262
to it a petition, signed by a number of qualified voters 263
residing in the unincorporated area of the township or part 264
thereof to be included in the zoning plan equal to not less than 265
eight per cent of the total vote cast for all candidates for 266
governor in such area at the most recent general election at 267
which a governor was elected, requesting the board to proceed 268
with township zoning under such sections. 269

Sec. 519.123. (A) As used in this section, "entitlement" 270
means any land use decision requiring an approval by a public 271
body or elected official, including, but not limited to, a 272
variance, special or conditional use, zoning change, planned 273
unit development, or other special approval. 274

(B) Except as otherwise provided in the Revised Code, 275
every entitlement application shall receive at least one public 276
hearing. The public hearing shall occur not later than thirty 277
days after the entitlement application is submitted and every 278
entitlement application shall be resolved via approval or denial 279
not more than ninety days after the application is filed, unless 280
the applicant requests an extension of up to an additional sixty 281
days. Alternatively, the applicant may request to table the 282

application, which shall pause the thirty- or ninety-day time 283
period until the applicant provides notice to resume 284
consideration. An extension, tabling, or resumption shall be 285
requested in person at a meeting where the application is being 286
considered or in writing delivered to the township fiscal 287
officer. This section does not apply if a material revision is 288
made to the application after the original submission. The 289
township board or commission conducting the hearing shall 290
provide notice of the hearing not less than fourteen days before 291
the hearing, as follows: 292

(1) To the owners of the property within the area proposed 293
to be changed or affected by the proposed entitlement change, to 294
the owners of property adjacent such area, and to the owners of 295
property located within one hundred fifty feet of such area, via 296
a mailed postcard that includes the date, time, and location of 297
the hearing; 298

(2) By posting one or more signs within the area proposed 299
to be changed or affected by the proposed entitlement change 300
that include the date, time, and location of the hearing; 301

(3) By posting on the web site of the township, including 302
the date, time, and location of the hearing, a description of 303
the proposed entitlement change, and a web link to relevant 304
documents. 305

Sec. 519.15. The township board of zoning appeals shall 306
organize and adopt rules in accordance with the zoning 307
resolution. Meetings of the board of zoning appeals shall be 308
held at the call of the chairperson, and at such other times as 309
the board determines. The chairperson, or in the chairperson's 310
absence the acting chairperson, may administer oaths, and the 311
board of zoning appeals may compel the attendance of witnesses. 312

All meetings of the board of zoning appeals shall be open to the public. The board of zoning appeals shall keep minutes of its proceedings showing the vote of each regular or alternate member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board of township trustees and be a public record.

Appeals to the board of zoning appeals may be taken by any person aggrieved or by any officer of the township affected by any decision of the administrative officer. Such appeal shall be taken within twenty days after the decision by filing, with the officer from whom the appeal is taken and with the board of zoning appeals, a notice of appeal specifying the grounds. The officer from whom the appeal is taken shall transmit to the board of zoning appeals all the papers constituting the record upon which the action appealed from was taken.

The board of zoning appeals shall fix a reasonable time for the public hearing of the appeal, ~~and shall give at least ten days' notice in writing to the parties in interest, publish notice of such public hearing at least ten days before the date of such hearing using at least one of the following methods:~~

~~(A) In the print or digital edition of one or more newspapers of general circulation in the county;~~

~~(B) On the official public notice web site established under section 125.182 of the Revised Code;~~

~~(C) On the web site and social media account of the township~~ as specified in section 519.123 of the Revised Code.

The board shall decide the appeal ~~within a reasonable time~~ not more than thirty calendar days after it is submitted. Upon

the hearing, any person may appear in person or by attorney. 342

The board of township trustees may require a person making 343
an appeal to pay a fee to defray the cost of ~~advertising,~~ 344
~~mailing,~~providing notices and other expenses. 345

Sec. 519.25. In any township in which there is in force a 346
plan of township zoning and the township has a population of 347
less than five thousand as of the most recent federal decennial 348
census, the plan may be repealed by the board of township 349
trustees in the following manner: 350

(A) The board may adopt a resolution upon its own 351
initiative. 352

(B) The board shall adopt a resolution if there is 353
presented to it a petition, similar in all relevant aspects to 354
that prescribed in section 519.12 of the Revised Code, signed by 355
a number of qualified electors residing in the unincorporated 356
area of such township included in the zoning plan equal to not 357
less than fifteen per cent of the total vote cast for all 358
candidates for governor in such area at the most recent general 359
election at which a governor was elected, requesting that the 360
question of whether or not the plan of zoning in effect in such 361
township shall be repealed be submitted to the electors residing 362
in the unincorporated area of the township included in the 363
zoning plan at a special election to be held on the day of the 364
next primary or general election. The resolution adopted by the 365
board of township trustees to cause such question to be 366
submitted to the electors shall be certified to the board of 367
elections not later than ninety days prior to the day of 368
election at which said question is to be voted upon. In the 369
event a majority of the vote cast on such question in the 370
township is in favor of repeal of zoning, then such regulations 371

shall no longer be of any effect. Not more than one such 372
election shall be held in any two calendar years. 373

Sec. 711.09. (A) (1) Except as otherwise provided in 374
division (A) (2) of this section, when a city planning commission 375
adopts a plan for the major streets or thoroughfares and for the 376
parks and other open public grounds of a city or any part of it, 377
or for the unincorporated territory within three miles of the 378
corporate limits of a city or any part of it, then no plat of a 379
subdivision of land within that city or territory shall be 380
recorded until it has been approved by the city planning 381
commission and that approval endorsed in writing on the plat. If 382
the land lies within three miles of more than one city, then 383
division (A) (1) of this section applies to the approval of the 384
planning commission of the city whose boundary is nearest to the 385
land. 386

(2) Division (A) (1) of this section does not apply to any 387
unincorporated territory when all of the following conditions 388
are met: 389

(a) The township in which the territory is located has a 390
zoning resolution covering all the unincorporated territory in 391
the township. 392

(b) The county in which the territory is located has a 393
county or regional planning commission. 394

(c) Subdivision regulations other than municipal 395
subdivision regulations are in effect in the county in which the 396
unincorporated territory is located. 397

When all of these conditions are met, no plat of a 398
subdivision of land in that unincorporated territory shall be 399
recorded until it has been approved by the county or regional 400

planning commission as provided in section 711.10 of the Revised 401
Code. 402

(B) (1) Except as otherwise provided in division (B) (2) of 403
this section, when a village planning commission, a platting 404
commissioner, or, if there is no commission or commissioner, the 405
legislative authority of a village, adopts a plan for the major 406
streets or thoroughfares and for the parks and other public 407
grounds of a village or any part of it, then no plat of a 408
subdivision of land within that village shall be recorded until 409
it has been approved by the village commission, commissioner, or 410
legislative authority and that approval endorsed in writing on 411
the plat. If the county in which the village lies contains no 412
cities, has no county subdivision regulations in effect, and the 413
village commission, commissioner, or legislative authority 414
adopts a plan for the major streets or thoroughfares and for the 415
parks and other public grounds for the unincorporated territory 416
within one and one-half miles of the corporate limits of the 417
village or any part of it, then no plat of a subdivision of land 418
shall be recorded until it has been approved by the village 419
commission, commissioner, or legislative authority and that 420
approval is endorsed in writing on the plat. If the land lies 421
within one and one-half miles of more than one village, then 422
division (B) (1) of this section applies to the approval of the 423
commission, commissioner, or legislative authority of the 424
village whose boundary is nearest to the land. 425

(2) Division (B) (1) of this section does not apply to any 426
unincorporated territory when both of the following conditions 427
are met: 428

(a) The township in which the territory is located has a 429
zoning resolution covering all the unincorporated territory in 430

the township. 431

(b) The county in which the territory is located has a 432
county or regional planning commission. 433

When both of these conditions are met, no plat of a 434
subdivision of land in that unincorporated territory shall be 435
recorded until it has been approved by the county or regional 436
planning commission as provided in section 711.10 of the Revised 437
Code. 438

(C) The approval of the planning commission, the platting 439
commissioner, or the legislative authority of a village required 440
by this section, or the refusal to approve, shall be endorsed on 441
the plat within ~~thirty~~ninety days after the submission of the 442
plat for approval or within such further time as the applying 443
party may agree to; otherwise that plat is deemed approved, and 444
the certificate of the planning commission, the platting 445
commissioner, or the clerk of the legislative authority, as to 446
the date of the submission of the plat for approval and the 447
failure to take action on it within that time, shall be issued 448
on demand and shall be sufficient in lieu of the written 449
endorsement or other evidence of approval required by this 450
section. The planning commission, platting commissioner, or 451
legislative authority of a village shall not require a person 452
submitting a plat to alter the plat or any part of it as a 453
condition for approval, as long as the plat is in accordance 454
with the general rules governing plats and subdivisions of land, 455
adopted as provided in this section, in effect at the time the 456
plat was submitted. The ground of refusal or approval of any 457
plat submitted, including citation of or reference to the rule 458
violated by the plat, shall be stated upon the record of the 459
commission, commissioner, or legislative authority. Within sixty 460

days after refusal, the person submitting any plat that the 461
commission, commissioner, or legislative authority refuses to 462
approve may file a petition in the court of common pleas of the 463
proper county, in which the person shall be named plaintiff. The 464
petition shall contain a copy of the plat sought to be recorded, 465
a statement of the facts justifying the propriety and 466
reasonableness of the proposed subdivision, and a prayer for an 467
order directed to the recorder to record the plat and may 468
include a statement of facts to support a claim that the rules 469
of the planning authority under which it refused to approve the 470
plat are unreasonable or unlawful. The planning authority 471
refusing to approve the plat and the recorder of the county 472
shall be joined as defendants and summons shall be issued upon 473
those defendants as in civil actions. Within the rule day 474
provided for a civil action, the planning authority may file an 475
answer in which it may set forth a statement of the facts 476
justifying its refusal to approve the plat, a copy of its rule 477
under which it refused to approve the plat, and a statement of 478
the facts supporting the reasonableness and lawfulness of that 479
rule. The court shall hear the matter upon such evidence as is 480
introduced by either party and the planning authority may 481
introduce as a part of its case a complete transcript of any 482
proceedings had before it. Any detail of the plat may be 483
modified upon motion of the plaintiff before the cause is 484
submitted to the court. If the court finds that the prayer for 485
the recording of the plat or any modification of it as may be 486
agreed to or proposed by the plaintiff, is supported by a 487
preponderance of the evidence, it shall enter an order directed 488
to the recorder to record the plat as originally submitted or as 489
agreed to be modified. Otherwise, the petition shall be 490
dismissed. The court shall return a separate finding upon the 491
reasonableness and lawfulness of the refusal to approve the plat 492

or upon the reasonableness and lawfulness of the rule under 493
which the planning authority refused to approve the plat or 494
both, as the case may require. The judgment or order of the 495
court may be appealed by either party on questions of law as in 496
other civil cases. 497

The planning commission, platting commissioner, or 498
legislative authority of a village may adopt general rules 499
governing plats and subdivisions of land falling within its 500
jurisdiction in order to secure and provide for the coordination 501
of the streets within the subdivision with existing streets and 502
roads or with the plan or plats of the municipal corporation, 503
for the proper amount of open spaces for traffic, circulation, 504
and utilities, and for the avoidance of future congestion of 505
population detrimental to the public health or safety but shall 506
not impose a greater minimum lot area than forty-eight hundred 507
square feet. The rules may provide for their modification by the 508
planning commission in specific cases where unusual 509
topographical or other exceptional conditions require the 510
modification. The rules may require the county department of 511
health to review and comment on a plat before the planning 512
commission, platting commissioner, or legislative authority of a 513
village acts upon it and may also require proof of compliance 514
with any applicable zoning resolutions as a basis for approval 515
of a plat. 516

However, no city or village planning commission shall 517
adopt any rules requiring actual construction of streets or 518
other improvements or facilities or assurance of that 519
construction as a condition precedent to the approval of a plat 520
of a subdivision unless the requirements have first been adopted 521
by the legislative authority of the city or village after a 522
public hearing. The rules shall be promulgated and published as 523

provided by sections 731.17 to 731.42 of the Revised Code, and 524
before adoption a public hearing shall be held on the adoption 525
and a copy of the rules shall be certified by the commission, 526
commissioner, or legislative authority to the county recorder of 527
the county in which the municipal corporation is located. 528

In the exercise of any power over or concerning the 529
platting and subdivision of land or the recording of plats of 530
subdivisions by a city, county, regional, or other planning 531
commission pursuant to any other section of the Revised Code, 532
the provisions of this section with respect to appeals from a 533
decision of a planning commission apply to the decision of any 534
such commission in the exercise of any power of that kind 535
granted by any other section of the Revised Code in addition to 536
any other remedy of appeal granted by the Revised Code. When a 537
plan has been adopted as provided in this section, the approval 538
of plats shall be in lieu of the approvals provided for by any 539
other section of the Revised Code, so far as territory within 540
the approving jurisdiction of the commission, commissioner, or 541
legislative authority, as provided in this section, is 542
concerned. Approval of a plat shall not be an acceptance by the 543
public of the dedication of any street, highway, or other way or 544
open space shown upon the plat. 545

(D) This section does not apply to unincorporated 546
territory in any county having five or more cities and having a 547
regional planning commission or county planning commission not 548
included within the geographic boundaries of a regional planning 549
commission, where the regional or county planning commission has 550
determined, by resolution, to exercise the authority granted 551
under section 711.10 of the Revised Code for the unincorporated 552
territory within three miles of cities within that county. 553

Sec. 713.211. (A) As used in this section, "entitlement" 554
means any land use decision requiring an approval by a public 555
body or elected official, including, but not limited to, a 556
variance, special or conditional use, zoning change, planned 557
unit development, or other special approval. 558

(B) Except as otherwise provided in the Revised Code, 559
every entitlement application shall receive at least one public 560
hearing. The public hearing shall occur not later than thirty 561
days after the entitlement application is submitted and every 562
entitlement application shall be resolved via approval or denial 563
not more than ninety days after the application is filed, unless 564
the applicant requests an extension of up to an additional sixty 565
days. Alternatively, the applicant may request to table the 566
application, which shall pause the thirty- or ninety-day time 567
period until the applicant provides notice to resume 568
consideration. An extension, tabling, or resumption shall be 569
requested in person at a meeting where the application is being 570
considered or in writing delivered to the clerk of the regional 571
planning commission. This section does not apply if a material 572
revision is made to the application after the original 573
submission. The regional planning commission shall provide 574
notice of the hearing not less than fourteen days before the 575
hearing, as follows: 576

(1) To the owners of the property within the area proposed 577
to be changed or affected by the proposed entitlement change, to 578
the owners of property adjacent such area, and to the owners of 579
property located within one hundred fifty feet of such area, via 580
a mailed postcard that includes the date, time, and location of 581
the hearing; 582

(2) By posting one or more signs within the area proposed 583

to be changed or affected by the proposed entitlement change 584
that includes the date, time, and location of the hearing; 585

(3) By posting on the web site of the regional planning 586
commission, including the date, time, and location of the 587
hearing, a description of the proposed entitlement change, and a 588
web link to relevant documents. 589

Sec. 713.35. (A) As used in this section, "entitlement" 590
means any land use decision requiring an approval by a public 591
body or elected official, including, but not limited to, a 592
variance, special or conditional use, zoning change, planned 593
unit development, or other special approval. 594

(B) Except as otherwise provided in the Revised Code, 595
every entitlement application shall receive at least one public 596
hearing. The public hearing shall occur not later than thirty 597
days after the entitlement application is submitted and every 598
entitlement application shall be resolved via approval or denial 599
not more than ninety days after the application is filed, unless 600
the applicant requests an extension of up to an additional sixty 601
days. Alternatively, the applicant may request to table the 602
application, which shall pause the thirty- or ninety-day time 603
period until the applicant provides notice to resume 604
consideration. An extension, tabling, or resumption shall be 605
requested in person at a meeting where the application is being 606
considered or in writing delivered to the clerk of the 607
legislative authority. This section does not apply if a material 608
revision is made to the application after the original 609
submission. The municipal board or commission conducting the 610
hearing shall provide notice of the hearing not less than 611
fourteen days before the hearing, as follows: 612

(1) To the owners of the property within the area proposed 613

to be changed or affected by the proposed entitlement change, to 614
the owners of property adjacent such area, and to the owners of 615
property located within one hundred fifty feet of such area, via 616
a mailed postcard that includes the date, time, and location of 617
the hearing; 618

(2) By posting one or more signs within the area proposed 619
to be changed or affected by the proposed entitlement change 620
that include the date, time, and location of the hearing; 621

(3) By posting on the web site of the municipal 622
corporation, including the date, time, and location of the 623
hearing, a description of the proposed entitlement change, and a 624
web link to relevant documents. 625

Sec. 3781.031. (A) Any department or agency of the state 626
or any political subdivision that enforces Chapters 3781. and 627
3791. of the Revised Code or the rules adopted pursuant to those 628
chapters, by any remedy, civil or criminal, shall issue an 629
adjudication order within the meaning of sections 119.06 to 630
119.13 of the Revised Code, or a stop work order as provided in 631
this section. 632

(B) (1) Any person charged with enforcing Chapters 3781. 633
and 3791. of the Revised Code or the rules or regulations 634
adopted pursuant to those chapters may issue a stop work order 635
whenever the person finds, after inspection and giving notice as 636
provided under division (B) (3) of this section, that the site 637
preparations or structure to be constructed, or the installation 638
of an industrialized unit, or the use of an appliance, material, 639
assemblage, or manufactured product does not comply with 640
Chapters 3781. and 3791. of the Revised Code or the rules 641
adopted pursuant to those chapters. The effect of such an order 642
shall be limited to the matter specified therein and is subject 643

to the following conditions:

(a) The person issuing the stop work order shall designate
a time, not more than two business days after the stop work
order is issued, at which the owner of the building, the
architect, the engineer, or the contractor of record may meet
with the person, or the person's designee, to discuss a remedy
for the violation or provide additional evidence to demonstrate
compliance with the building code standards.

(b) If the person issuing the stop work order and the
owner of the building, architect, engineer, or contractor of
record do not meet within the time prescribed by division (B) (1)
(a) of this section, or that meeting does not result in the
person rescinding the stop work order, the owner of the building
or the owner's agent may initiate an expedited appeal as
provided in section 3781.22 of the Revised Code.

(c) Nothing in this section limits the authority of the
person charged with enforcing Chapters 3781. and 3791. of the
Revised Code or the rules adopted pursuant to those chapters to
issue a stop work order for a project or any portion of a
project that may go into effect immediately as provided by law,
if the person determines that a condition on the building site
constitutes an immediate threat to public safety. A stop work
order issued for reasons of an immediate threat to public safety
may be appealed in the manner described in sections 3781.19,
3781.20, and 3781.22 of the Revised Code.

(2) Any adjudication order shall specify what appliances,
site preparations, additions, or alterations to structures,
plans, materials, assemblages, or procedures are necessary for
compliance with Chapters 3781. and 3791. of the Revised Code.

(3) A person issuing a stop work order under division (B) 673
(1) of this section shall provide notice to the owner of the 674
building, the architect, the engineer, or the contractor of 675
record by posting a copy of the order in a conspicuous place on 676
the site of the project. The notice shall include all of the 677
following: 678

(a) A statement that the owner of the building, the 679
architect, the engineer, or the contractor of record is entitled 680
to meet with the person that issued the stop work order, or the 681
person's designee, within two business days to discuss a remedy 682
for the violation or provide additional evidence to demonstrate 683
compliance with the building code standards. 684

(b) The time and place at which the person that issued the 685
stop work order, or that person's designee, will be available 686
for that meeting and contact information or a procedure by which 687
the owner of the building, the architect, the engineer, or the 688
contractor of record may reach the person that issued the stop 689
work order. 690

(c) A statement explaining that, if there is no meeting 691
between the person that issued the stop work order and the owner 692
of the building, architect, engineer, or contractor of record 693
within two business days, or that meeting does not result in the 694
person rescinding the stop work order, the owner may initiate an 695
expedited appeal as provided in section 3781.22 of the Revised 696
Code. 697

(C) Upon the issuance of any order provided for in this 698
section, the person receiving the order shall cease work upon 699
the site preparations or structure to be constructed or the 700
installation of an industrialized unit, or shall cease using the 701
appliance, materials, assemblages, or manufactured product 702

identified in the order until the appeal provided for in 703
accordance with section 3781.19 or 3781.22 of the Revised Code, 704
and all appeals from the hearing have been completed, or the 705
order issued has been released. 706

(D) Notwithstanding Chapter 119. of the Revised Code 707
relating to adjudication hearings and proceedings, a 708
stenographic or mechanical record of the testimony and other 709
evidence submitted shall be taken at the expense of the agency. 710
Any party adversely affected by an order issued following an 711
adjudication hearing may appeal to the court of common pleas of 712
the county in which the party is a resident or in which the 713
premises affected by the order is located. The court shall not 714
be confined to the record as certified to it by the agency but 715
any party may produce additional evidence and the court shall 716
hear the matter upon the record and additional evidence any 717
party introduces. The court shall not affirm the agency's order 718
unless the preponderance of the evidence before it supports the 719
reasonableness and lawfulness of the order and any rule of the 720
board of building standards upon which the order is based in its 721
application to the particular set of facts or circumstances 722
involved in the appeal. 723

(E) Failure to cease work after receiving a stop work 724
order is hereby declared a public nuisance. 725

Sec. 3781.10. (A) (1) The board of building standards shall 726
formulate and adopt rules governing the erection, construction, 727
repair, alteration, and maintenance of all buildings or classes 728
of buildings specified in section 3781.06 of the Revised Code, 729
including land area incidental to those buildings, the 730
construction of industrialized units, the installation of 731
equipment, and the standards or requirements for materials used 732

in connection with those buildings. The board shall incorporate 733
those rules into separate residential and nonresidential 734
building codes. The standards shall relate to the conservation 735
of energy and the safety and sanitation of those buildings. 736

(2) (a) The rules governing nonresidential buildings are 737
the lawful minimum requirements specified for those buildings 738
and industrialized units, except that no rule other than as 739
provided in division (C) of section 3781.108 of the Revised Code 740
that specifies a higher requirement than is imposed by any 741
section of the Revised Code is enforceable. 742

(b) The rules governing residential buildings are uniform 743
requirements in any area with a building department certified to 744
enforce the state residential building code in accordance with 745
division (E) of this section, for both of the following: 746

(i) The erection and construction of new residential 747
buildings; 748

(ii) The repair and alteration of existing residential 749
buildings. 750

(c) In no case shall any local code or regulation differ 751
from the state residential building code for either the erection 752
and construction of new residential buildings or for the repair 753
and alteration of existing residential buildings unless that 754
code or regulation addresses subject matter not addressed by the 755
state residential building code or is adopted pursuant to 756
section 3781.01 of the Revised Code. 757

(3) The rules adopted pursuant to this section are 758
complete, lawful alternatives to any requirements specified for 759
buildings or industrialized units in any section of the Revised 760
Code. Except as otherwise provided in division (I) of this 761

section, the board shall, on its own motion or on application 762
made under sections 3781.12 and 3781.13 of the Revised Code, 763
formulate, propose, adopt, modify, amend, or repeal the rules to 764
the extent necessary or desirable to effectuate the purposes of 765
sections 3781.06 to 3781.18 of the Revised Code. 766

(B) The board shall report to the general assembly 767
proposals for amendments to existing statutes relating to the 768
purposes declared in section 3781.06 of the Revised Code that 769
public health and safety and the development of the arts require 770
and shall recommend any additional legislation to assist in 771
carrying out fully, in statutory form, the purposes declared in 772
that section. The board shall prepare and submit to the general 773
assembly a summary report of the number, nature, and disposition 774
of the petitions filed under sections 3781.13 and 3781.14 of the 775
Revised Code. 776

(C) On its own motion or on application made under 777
sections 3781.12 and 3781.13 of the Revised Code, and after 778
thorough testing and evaluation, the board shall determine by 779
rule that any particular fixture, device, material, process of 780
manufacture, manufactured unit or component, method of 781
manufacture, system, or method of construction complies with 782
performance standards adopted pursuant to section 3781.11 of the 783
Revised Code. The board shall make its determination with regard 784
to adaptability for safe and sanitary erection, use, or 785
construction, to that described in any section of the Revised 786
Code, wherever the use of a fixture, device, material, method of 787
manufacture, system, or method of construction described in that 788
section of the Revised Code is permitted by law. The board shall 789
amend or annul any rule or issue an authorization for the use of 790
a new material or manufactured unit on any like application. No 791
department, officer, board, or commission of the state other 792

than the board of building standards or the board of building 793
appeals shall permit the use of any fixture, device, material, 794
method of manufacture, newly designed product, system, or method 795
of construction at variance with what is described in any rule 796
the board of building standards adopts or issues or that is 797
authorized by any section of the Revised Code. Nothing in this 798
section shall be construed as requiring approval, by rule, of 799
plans for an industrialized unit that conforms with the rules 800
the board of building standards adopts pursuant to section 801
3781.11 of the Revised Code. 802

(D) The board shall recommend rules, codes, and standards 803
to help carry out the purposes of section 3781.06 of the Revised 804
Code and to help secure uniformity of state administrative 805
rulings and local legislation and administrative action to the 806
bureau of workers' compensation, the director of commerce, any 807
other department, officer, board, or commission of the state, 808
and to legislative authorities and building departments of 809
counties, townships, and municipal corporations, and shall 810
recommend that they audit those recommended rules, codes, and 811
standards by any appropriate action that they are allowed 812
pursuant to law or the constitution. 813

(E) (1) The board shall certify municipal, township, and 814
county building departments, the personnel of those building 815
departments, persons described in division (E) (7) of this 816
section, and employees of individuals, firms, the state, or 817
corporations described in division (E) (7) of this section to 818
exercise enforcement authority, to accept and approve plans and 819
specifications, and to make inspections, pursuant to sections 820
3781.03, 3791.04, and 4104.43 of the Revised Code. 821

(2) The board shall certify departments, personnel, and 822

persons to enforce the state residential building code for the 823
erection and construction of new residential buildings, to 824
enforce the nonresidential building code, or to enforce both the 825
residential and the nonresidential building codes. A department 826
certified to enforce the state residential building code for the 827
erection and construction of new residential buildings may also 828
enforce the state residential building code for the repair and 829
alteration of existing residential buildings upon obtaining the 830
appropriate certification from the board, in accordance with 831
this section, for the department and its personnel. Any 832
department, personnel, or person may enforce only the type of 833
building code for which certified. 834

(3) The board shall not require a building department, its 835
personnel, or any persons that it employs to be certified for 836
residential building code enforcement if that building 837
department does not enforce the state residential building code. 838
The board shall specify, in rules adopted pursuant to Chapter 839
119. of the Revised Code, the requirements for certification for 840
residential and nonresidential building code enforcement, which 841
shall be consistent with this division. The requirements for 842
residential and nonresidential certification may differ. Except 843
as otherwise provided in this division, the requirements shall 844
include, but are not limited to, the satisfactory completion of 845
an initial examination and, to remain certified, the completion 846
of a specified number of hours of continuing building code 847
education within each three-year period following the date of 848
certification which shall be not less than thirty hours. The 849
rules shall provide that continuing education credits and 850
certification issued by the council of American building 851
officials, national model code organizations, and agencies or 852
entities the board recognizes are acceptable for purposes of 853

this division. The rules shall specify requirements that are 854
consistent with the provisions of section 5903.12 of the Revised 855
Code relating to active duty military service and are 856
compatible, to the extent possible, with requirements the 857
council of American building officials and national model code 858
organizations establish. 859

(4) The board shall establish and collect a certification 860
and renewal fee for building department personnel, and persons 861
and employees of persons, firms, or corporations as described in 862
this section, who are certified pursuant to this division. 863

(5) Any individual certified pursuant to this division 864
shall complete the number of hours of continuing building code 865
education that the board requires or, for failure to do so, 866
forfeit certification. 867

(6) This division does not require or authorize the board 868
to certify personnel of municipal, township, and county building 869
departments, and persons and employees of persons, firms, or 870
corporations as described in this section, whose 871
responsibilities do not include the exercise of enforcement 872
authority, the approval of plans and specifications, or making 873
inspections under the state residential and nonresidential 874
building codes. 875

(7) Enforcement authority for approval of plans and 876
specifications and enforcement authority for inspections may be 877
exercised, and plans and specifications may be approved and 878
inspections may be made on behalf of a municipal corporation, 879
township, or county, by any of the following who the board of 880
building standards certifies: 881

(a) Officers or employees of the municipal corporation, 882

township, or county; 883

(b) Persons, or employees of persons, firms, or 884
corporations, pursuant to a contract to furnish architectural, 885
engineering, or other services to the municipal corporation, 886
township, or county; 887

(c) Officers or employees of, and persons under contract 888
with, a municipal corporation, township, county, health 889
district, or other political subdivision, pursuant to a contract 890
to furnish architectural, engineering, or other services; 891

(d) Officers or employees of the division of industrial 892
compliance in the department of commerce pursuant to a contract 893
authorized by division (B) of section 121.083 of the Revised 894
Code. 895

(8) Municipal, township, and county building departments 896
have jurisdiction within the meaning of sections 3781.03, 897
3791.04, and 4104.43 of the Revised Code, only with respect to 898
the types of buildings and subject matters for which they are 899
certified under this section. 900

(9) A certified municipal, township, or county building 901
department may exercise enforcement authority, accept and 902
approve plans and specifications, and make inspections pursuant 903
to sections 3781.03, 3791.04, and 4104.43 of the Revised Code 904
for a park district created pursuant to Chapter 1545. of the 905
Revised Code upon the approval, by resolution, of the board of 906
park commissioners of the park district requesting the 907
department to exercise that authority and conduct those 908
activities, as applicable. 909

(10) Certification shall be granted upon application by 910
the municipal corporation, the board of township trustees, or 911

the board of county commissioners and approval of that 912
application by the board of building standards. The application 913
shall set forth: 914

(a) Whether the certification is requested for residential 915
or nonresidential buildings, or both; 916

(b) If the certification is requested for residential 917
buildings, whether the requested certification is for only the 918
erection and construction of new residential buildings or also 919
the repair and alteration of existing residential buildings; 920

(c) The number and qualifications of the staff composing 921
the building department; 922

(d) The names, addresses, and qualifications of persons, 923
firms, or corporations contracting to furnish work or services 924
pursuant to division (E) (7) (b) of this section; 925

(e) The names of any other municipal corporation, 926
township, county, health district, or political subdivision 927
under contract to furnish work or services pursuant to division 928
(E) (7) of this section; 929

(f) The proposed budget for the operation of the building 930
department; 931

(g) Whether the building department intends to accept 932
plans examination and inspection reports from a third-party 933
examiner or inspector in accordance with rules adopted by the 934
board of building standards pursuant to division (E) (15) of this 935
section. 936

(11) The board of building standards shall adopt rules 937
governing all of the following: 938

(a) The certification of building department personnel and 939

persons and employees of persons, firms, or corporations 940
exercising authority pursuant to division (E) (7) of this 941
section. The rules shall disqualify any employee of the 942
department or person who contracts for services with the 943
department or the general contractor, owner, or applicant under 944
section 3781.181 of the Revised Code, from performing services 945
for the department or the general contractor, owner, or 946
applicant when that employee or person would have to pass upon, 947
inspect, or otherwise exercise authority over any labor, 948
material, or equipment the employee or person furnishes for the 949
construction, alteration, or maintenance of a building or the 950
preparation of working drawings or specifications for work 951
within the jurisdictional area of the department. ~~The~~ Except in 952
the case of a contract under section 3781.181 of the Revised 953
Code, the department shall provide other similarly qualified 954
personnel to enforce the residential and nonresidential building 955
codes as they pertain to that work. 956

(b) The minimum services to be provided by a certified 957
building department. 958

(12) The board of building standards may revoke or suspend 959
certification to enforce the residential and nonresidential 960
building codes, on petition to the board by any person affected 961
by that enforcement or approval of plans, or by the board on its 962
own motion. Hearings shall be held and appeals permitted on any 963
proceedings for certification or revocation or suspension of 964
certification in the same manner as provided in section 3781.101 965
of the Revised Code for other proceedings of the board of 966
building standards. 967

(13) Upon certification, and until that authority is 968
revoked, any county or township building department shall 969

enforce the residential and nonresidential building codes for 970
which it is certified without regard to limitation upon the 971
authority of boards of county commissioners under Chapter 307. 972
of the Revised Code or boards of township trustees under Chapter 973
505. of the Revised Code. 974

(14) The board shall certify a person to exercise 975
enforcement authority, to accept and approve plans and 976
specifications, or to make inspections in this state in 977
accordance with Chapter 4796. of the Revised Code if either of 978
the following applies: 979

(a) The person holds a license or certificate in another 980
state. 981

(b) The person has satisfactory work experience, a 982
government certification, or a private certification as 983
described in that chapter in the same profession, occupation, or 984
occupational activity as the profession, occupation, or 985
occupational activity for which the certificate is required in 986
this state in a state that does not issue that license or 987
certificate. 988

(15) (a) In addition to the personnel and persons certified 989
by the board of building standards pursuant to this section to 990
enforce the state residential building code and nonresidential 991
building code, the board ~~may shall~~ adopt rules ~~authorizing~~ 992
requiring certified municipal, township, and county building 993
departments to accept plans examination and inspection reports 994
from a third-party examiner or inspector in accordance with 995
section 3781.181 of the Revised Code. 996

(b) The rules may require the third-party examiner or 997
inspector be certified pursuant to sections 3781.10 and 3783.03 998

of the Revised Code and authorized to conduct such plans 999
examination or inspection elsewhere in this state or to 1000
demonstrate equivalent competency as specified and determined by 1001
the board of building standards. 1002

(c) Fees charged by a third-party examiner or inspector 1003
are in addition to any fees prescribed by the political 1004
subdivision pursuant to section 3781.102 of the Revised Code and 1005
are the responsibility of the building owner. 1006

(d) The issuance of certificates of plan approval under 1007
section 3791.04 of the Revised Code and certificates of 1008
occupancy or completion remains the exclusive authority of the 1009
certified personnel employed by or under contract with a 1010
certified municipal, township, and county building department 1011
and shall not be issued by a third-party examiner or inspector. 1012

(F) In addition to hearings sections 3781.06 to 3781.18 1013
and 3791.04 of the Revised Code require, the board of building 1014
standards shall make investigations and tests, and require from 1015
other state departments, officers, boards, and commissions 1016
information the board considers necessary or desirable to assist 1017
it in the discharge of any duty or the exercise of any power 1018
mentioned in this section or in sections 3781.06 to 3781.18, 1019
3791.04, and 4104.43 of the Revised Code. 1020

(G) The board shall adopt rules and establish reasonable 1021
fees for the review of all applications submitted where the 1022
applicant applies for authority to use a new material, assembly, 1023
or product of a manufacturing process. The fee shall bear some 1024
reasonable relationship to the cost of the review or testing of 1025
the materials, assembly, or products and for the notification of 1026
approval or disapproval as provided in section 3781.12 of the 1027
Revised Code. 1028

(H) The residential construction advisory committee shall 1029
provide the board with a proposal for a state residential 1030
building code that the committee recommends pursuant to division 1031
(D) (1) of section 4740.14 of the Revised Code. Upon receiving a 1032
recommendation from the committee that is acceptable to the 1033
board, the board shall adopt rules establishing that code as the 1034
state residential building code. 1035

(I) (1) The committee may provide the board with proposed 1036
rules to update or amend the state residential building code 1037
that the committee recommends pursuant to division (E) of 1038
section 4740.14 of the Revised Code. 1039

(2) If the board receives a proposed rule to update or 1040
amend the state residential building code as provided in 1041
division (I) (1) of this section, the board either may accept or 1042
reject the proposed rule for incorporation into the residential 1043
building code. If the board does not act to either accept or 1044
reject the proposed rule within ninety days after receiving the 1045
proposed rule from the committee as described in division (I) (1) 1046
of this section, the proposed rule shall become part of the 1047
residential building code. 1048

(J) The board shall cooperate with the director of 1049
children and youth when the director promulgates rules pursuant 1050
to section 5104.05 of the Revised Code regarding safety and 1051
sanitation in type A family child care homes. 1052

(K) The board shall adopt rules to implement the 1053
requirements of section 3781.108 of the Revised Code. 1054

Sec. 3781.181. (A) As used in this section: 1055

(1) "Nonresidential building" and "residential building" 1056
have the same meanings as in section 3781.06 of the Revised 1057

Code. 1058

(2) "Owner" has the same meaning as in section 163.01 of 1059
the Revised Code. 1060

(3) "Third-party private inspector" means an inspector 1061
that is certified under section 3781.10 of the Revised Code to 1062
accept and approve plans and specifications, and to make 1063
inspections of residential or nonresidential building 1064
construction projects but who is not directly employed by the 1065
governmental entity having jurisdiction. 1066

(B) A building department having jurisdiction with respect 1067
to a residential or nonresidential building shall review plans 1068
within fourteen days after receiving a plan review and perform 1069
inspections of residential and nonresidential building 1070
construction projects within four days after receiving an 1071
inspection request. 1072

(C) (1) The board of building standards may maintain a list 1073
of third-party private inspectors and building departments that 1074
are certified by the board to conduct plan review or to provide 1075
inspections for residential and nonresidential buildings. 1076

(2) If the board maintains a list pursuant to division (C) 1077
(1) of this section, the list shall include for each third-party 1078
private inspector all of the following: 1079

(a) Whether the third-party private inspector is certified 1080
to conduct plan review, provide inspections, or both; 1081

(b) Whether the third-party private inspector is certified 1082
to provide services for residential buildings, nonresidential 1083
buildings, or both; 1084

(c) Any other limitations on the third-party private 1085

inspector's authority to provide services under this section. 1086

(3) The list shall be published to a publicly accessible 1087
web site maintained by the board. 1088

(D) (1) If the building department having jurisdiction does 1089
not timely conduct the plan review or inspection in accordance 1090
with division (B) of this section, the general contractor or 1091
owner of the residential or nonresidential building construction 1092
project, or the applicant for the plan review or inspection, or 1093
any of the them, may notify the board of building standards and 1094
the building department having jurisdiction that the general 1095
contractor, owner, or applicant intends to contract for an 1096
independent plan review or inspection. 1097

(2) After sending notice, the general contractor, owner, 1098
or applicant may enter into a contract with a qualified third- 1099
party private inspector or a building department to conduct the 1100
plan review or inspection of the residential or nonresidential 1101
building construction project. 1102

(3) Within fifteen days after receiving the plan review or 1103
inspection, the general contractor, owner, or applicant shall 1104
pay both of the following: 1105

(a) Any fee contracted for by the third-party private 1106
inspector or certified building department for the independent 1107
plan review or inspection under division (D) (2) of this section; 1108

(b) Any fee charged by the building department having 1109
jurisdiction that is customary for the approval of a plan review 1110
or inspection, including an administrative or filing fee, but 1111
excluding any fee related to the actual plan review or 1112
inspection. 1113

(4) A third-party private inspector or an inspector 1114

employed by a certified building department shall send the 1115
results to the building department having jurisdiction within 1116
twenty-four hours after completing an independent plan review or 1117
inspection. 1118

(5) The building department having jurisdiction shall not 1119
require a general contractor, owner, or applicant to obtain a 1120
building permit sooner than one hundred eighty days after a 1121
third-party private inspector or an inspector employed by a 1122
certified building department approves plans submitted under 1123
this section. 1124

(6) The chief building official of the building department 1125
with jurisdiction may prohibit final occupancy if plans have not 1126
been approved for a project, as directed by the chief building 1127
official. 1128

(7) The rules adopted by the board of building standards 1129
under section 3781.10 of the Revised Code shall prescribe 1130
procedures for the review and processing of plan review and 1131
inspection reports by the building official of the building 1132
department having jurisdiction. 1133

Sec. 3791.04. (A) (1) Before beginning the construction, 1134
erection, or manufacture of any building to which section 1135
3781.06 of the Revised Code applies, including all 1136
industrialized units, the owner of that building, in addition to 1137
any other submission required by law, shall submit plans or 1138
drawings, specifications, and data prepared for the 1139
construction, erection, equipment, alteration, or addition that 1140
indicate the portions that have been approved pursuant to 1141
section 3781.12 of the Revised Code and for which no further 1142
approval is required, to the municipal, township, or county 1143
building department having jurisdiction unless one of the 1144

following applies: 1145

(a) If no municipal, township, or county building 1146
department certified for nonresidential buildings pursuant to 1147
division (E) of section 3781.10 of the Revised Code has 1148
jurisdiction, the owner shall make the submissions described in 1149
division (A)(1) of this section to the superintendent of 1150
industrial compliance. 1151

(b) If no certified municipal, township, or county 1152
building department certified for residential buildings pursuant 1153
to division (E) of section 3781.10 of the Revised Code has 1154
jurisdiction, the owner is not required to make the submissions 1155
described in division (A)(1) of this section. 1156

(2)(a) The seal of an architect registered under Chapter 1157
4703. of the Revised Code or an engineer registered under 1158
Chapter 4733. of the Revised Code is required for any plans, 1159
drawings, specifications, or data submitted for approval, unless 1160
the plans, drawings, specifications, or data are permitted to be 1161
prepared by persons other than registered architects pursuant to 1162
division (C) or (D) of section 4703.18 of the Revised Code, or 1163
by persons other than registered engineers pursuant to division 1164
(C) or (D) of section 4733.18 of the Revised Code. 1165

(b) No seal is required for any plans, drawings, 1166
specifications, or data submitted for approval for any 1167
residential buildings, as defined in section 3781.06 of the 1168
Revised Code, or erected as industrialized one-, two-, or three- 1169
family units or structures within the meaning of "industrialized 1170
unit" as defined in section 3781.06 of the Revised Code. 1171

(c) No seal is required for approval of the installation 1172
of replacement equipment or systems that are similar in type or 1173

capacity to the equipment or systems being replaced. No seal is 1174
required for approval for any new construction, improvement, 1175
alteration, repair, painting, decorating, or other modification 1176
of any buildings or structures subject to sections 3781.06 to 1177
3781.18 and 3791.04 of the Revised Code if the proposed work 1178
does not involve technical design analysis, as defined by rule 1179
adopted by the board of building standards. 1180

(B) No owner shall proceed with the construction, 1181
erection, alteration, or equipment of any building until the 1182
plans or drawings, specifications, and data have been approved 1183
as this section requires, or the industrialized unit inspected 1184
at the point of origin, or as approved by section 3791.043 of 1185
the Revised Code. No plans or specifications shall be approved 1186
or inspection approval given unless the building represented 1187
would, if constructed, repaired, erected, or equipped, comply 1188
with Chapters 3781. and 3791. of the Revised Code and any rule 1189
made under those chapters. 1190

(C) The approval of plans or drawings and specifications 1191
or data pursuant to this section is invalid if construction, 1192
erection, alteration, or other work upon the building has not 1193
commenced within twelve months of the approval of the plans or 1194
drawings and specifications. One extension shall be granted for 1195
an additional twelve-month period if the owner requests at least 1196
ten days in advance of the expiration of the permit and upon 1197
payment of a fee not to exceed one hundred dollars. If in the 1198
course of construction, work is delayed or suspended for more 1199
than six months, the approval of plans or drawings and 1200
specifications or data is invalid. Two extensions shall be 1201
granted for six months each if the owner requests at least ten 1202
days in advance of the expiration of the permit and upon payment 1203
of a fee for each extension of not more than one hundred 1204

dollars. Before any work may continue on the construction, 1205
erection, alteration, or equipment of any building for which the 1206
approval is invalid, the owner of the building shall resubmit 1207
the plans or drawings and specifications for approval pursuant 1208
to this section. 1209

(D) Subject to section 3791.042 of the Revised Code, the 1210
board of building standards or the legislative authority of a 1211
municipal corporation, township, or county, by rule, may 1212
regulate the requirements for the submission of plans and 1213
specifications to the respective enforcing departments and for 1214
processing by those departments. The board of building standards 1215
or the legislative authority of a municipal corporation, 1216
township, or county may adopt rules to provide for the approval, 1217
subject to section 3791.042 of the Revised Code, by the 1218
department having jurisdiction of the plans for construction of 1219
a foundation or any other part of a building or structure before 1220
the complete plans and specifications for the entire building or 1221
structure are submitted. When any plans are approved by the 1222
department having jurisdiction, the structure and every 1223
particular represented by and disclosed in those plans shall, in 1224
the absence of fraud or a serious safety or sanitation hazard, 1225
be conclusively presumed to comply with Chapters 3781. and 3791. 1226
of the Revised Code and any rule issued pursuant to those 1227
chapters, if constructed, altered, or repaired in accordance 1228
with those plans and any rule in effect at the time of approval. 1229

(E) The approval of plans and specifications, including 1230
inspection of industrialized units, under this section is a 1231
"license" and the failure to approve plans or specifications as 1232
submitted or to inspect the unit at the point of origin within 1233
~~thirty days after the plans or specifications are filed or the~~ 1234
~~request to inspect the industrialized unit is made~~the time 1235

required by section 3791.043 of the Revised Code, the 1236
disapproval of plans and specifications, or the refusal to 1237
approve an industrialized unit following inspection at the point 1238
of origin is "an adjudication order denying the issuance of a 1239
license" requiring an "adjudication hearing" as provided by 1240
sections 119.07 to 119.13 of the Revised Code and as modified by 1241
sections 3781.031 and 3781.19 of the Revised Code. An 1242
adjudication order denying the issuance of a license shall 1243
specify the reasons for that denial. 1244

(F) The board of building standards shall not require the 1245
submission of site preparation plans or plot plans to the 1246
division of industrial compliance when industrialized units are 1247
used exclusively as one-, two-, or three-family dwellings. 1248

(G) Notwithstanding any procedures the board establishes, 1249
if the agency having jurisdiction objects to any portion of the 1250
plans or specifications, the owner or the owner's representative 1251
may request the agency to issue conditional approval to proceed 1252
with construction up to the point of the objection. Approval 1253
shall be issued only when the objection results from conflicting 1254
interpretations of the rules of the board of building standards 1255
rather than the application of specific technical requirements 1256
of the rules. Approval shall not be issued where the correction 1257
of the objection would cause extensive changes in the building 1258
design or construction. The giving of conditional approval is a 1259
"conditional license" to proceed with construction up to the 1260
point where the construction or materials objected to by the 1261
agency are to be incorporated into the building. No construction 1262
shall proceed beyond that point without the prior approval of 1263
the agency or another agency that conducts an adjudication 1264
hearing relative to the objection. The agency having 1265
jurisdiction shall specify its objections to the plans or 1266

specifications, which is an "adjudication order denying the 1267
issuance of a license" and may be appealed pursuant to sections 1268
119.07 to 119.13 of the Revised Code and as modified by sections 1269
3781.031 and 3781.19 of the Revised Code. 1270

(H) A certified municipal, township, or county building 1271
department having jurisdiction, or the superintendent, as 1272
appropriate, shall review any plans, drawings, specifications, 1273
or data described in this section that are submitted to it or to 1274
the superintendent. 1275

(I) No owner or persons having control as an officer, or 1276
as a member of a board or committee, or otherwise, of a building 1277
to which section 3781.06 of the Revised Code is applicable, and 1278
no architect, designer, engineer, builder, contractor, 1279
subcontractor, or any officer or employee of a municipal, 1280
township, or county building department shall violate this 1281
section. 1282

(J) Whoever violates this section shall be fined not more 1283
than five hundred dollars. 1284

Sec. 3791.043. (A) As used in this section: 1285

(1) "Application" means the application to the certified 1286
municipal, township, or county building department having 1287
jurisdiction, or the superintendent of industrial compliance, to 1288
review plans, drawings, specifications, or data described in 1289
section 3791.04 of the Revised Code, for inspections, and for 1290
certificates of completion. 1291

(2) "Architect" has the same meaning as in section 4703.20 1292
of the Revised Code. 1293

(3) "Reviewing authority" means the certified municipal, 1294
township, or county building department having jurisdiction, or 1295

the superintendent of industrial compliance. 1296

(4) "Engineer" means a person registered as a professional 1297
engineer under Chapter 4733. of the Revised Code. 1298

(5) "Conflict of interest" includes having any financial 1299
interest in, or being employed by the applicant, other than as a 1300
plan reviewer or inspector under this section, or a business 1301
that has a financial interest in the furnishing of labor, 1302
material, or appliances for the construction, alteration, or 1303
maintenance of, or any involvement in the making of plans or 1304
specifications for, the project subject to plan review or 1305
inspection. 1306

(B) Except as otherwise provided in division (C) of this 1307
section, to the extent practicable, a reviewing authority shall 1308
do both of the following: 1309

(1) Complete its review and make a determination on plans, 1310
drawings, specifications, or data described in section 3791.04 1311
of the Revised Code, within thirty days after receipt of the 1312
application; 1313

(2) Provide inspection services within two business days 1314
after receipt of the application. 1315

(C) (1) Not later than five business days after receiving 1316
an application, the reviewing authority shall determine whether 1317
the application is complete and provide written notice to the 1318
applicant of that determination. 1319

(2) If the reviewing authority determines that the 1320
application is complete, the notice shall include an indication 1321
as to whether the reviewing authority has the capacity to meet 1322
the deadlines prescribed by division (B) of this section. Any 1323
time spent by the reviewing authority in determining 1324

completeness of the application counts in determining compliance 1325
with those deadlines. 1326

(3) If the reviewing authority determines that the 1327
application is not complete, the notice shall identify the 1328
specific items that are needed in order for the application to 1329
be complete. The date such notice is sent to the date the 1330
applicant submits a complete application do not count in 1331
determining compliance with the deadlines prescribed by division 1332
(B) of this section. In addition, the reviewing authority may 1333
extend those deadlines by an additional five business days for 1334
the purpose of reviewing revisions to an application or any 1335
associated documents for completeness. 1336

(4) If the reviewing authority determines that the 1337
personnel employed or contracted by the reviewing authority are 1338
unable to meet the deadlines prescribed by division (B) of this 1339
section, the applicant may retain, at the applicant's own 1340
expense, an architect or engineer to perform the plan review or 1341
inspection within the architect's and engineer's scope of 1342
practice and in accordance with this section. If the applicant 1343
elects to retain an architect or an engineer, all of the 1344
following apply: 1345

(a) The applicant shall notify the reviewing authority. 1346

(b) The reviewing authority shall reduce the applicable 1347
fee by fifty per cent and, if the applicant has remitted the fee 1348
already, refund the excess to the applicant. 1349

(c) The applicant shall submit a copy of the architect's 1350
or engineer's plan review or inspection report to the reviewing 1351
authority within five days after its completion. The plan review 1352
and report shall include the affidavit required under division 1353

(D) (2) of this section and any documents required by the 1354
reviewing authority to verify that the permit applicant has 1355
secured all other governmental approvals required by law. 1356

(5) If the reviewing authority states its intent to 1357
complete the required plan review or inspection services within 1358
the time prescribed by division (B) of this section, or within 1359
an extended period of time mutually agreed upon by the applicant 1360
and the reviewing authority, and the reviewing authority fails 1361
to complete such plan review or inspection services in that 1362
time, the reviewing authority shall issue the applicant a 1363
project initiation permit to allow the applicant to begin work 1364
on the project, provided that the initial phase of work is 1365
compliant with Chapters 3781. and 3791. of the Revised Code and 1366
any rule made under those chapters. The reviewing authority may 1367
do either or both of the following: 1368

(a) Limit the scope of a project initiation permit; 1369

(b) Limit the areas of the site to which the project 1370
initiation permit applies. 1371

(D) (1) An architect or an engineer performing a plan 1372
review under this section shall review the plans, drawings, 1373
specifications, or other data described in section 3791.04 of 1374
the Revised Code to determine compliance with Chapters 3781. and 1375
3791. of the Revised Code and all rules made under those 1376
chapters. Any plan review or inspection conducted by an 1377
architect or an engineer under this section shall be no less 1378
extensive than plan reviews or inspections conducted by the 1379
reviewing authority. 1380

(2) Upon reviewing the application or conducting the 1381
inspection, the architect or engineer shall prepare an affidavit 1382

certifying all of the following under oath in accordance with 1383
applicable professional standards of care: 1384

(a) The affiant is duly authorized to conduct a plan 1385
review or inspection pursuant to this section, holds the 1386
appropriate credentials set forth in this section, and does not 1387
have a conflict of interest with respect to the applicant. 1388

(b) Whether the plans or the subjects of the inspection 1389
comply with all applicable requirements of Chapters 3781. and 1390
3791. of the Revised Code and all applicable rules made under 1391
those chapters; 1392

(c) In the case of plans submitted for review, whether the 1393
plans conform with any plans previously approved for that 1394
project and do not alter such plans already approved for that 1395
project, except as set forth in the plans submitted for review 1396
pursuant to this section. 1397

(3) An architect or an engineer may perform any plan 1398
review or inspection required by a reviewing authority, 1399
including inspections for footings, foundations, concrete slabs, 1400
framing, electrical, plumbing, heating, ventilation and air 1401
conditioning, or any other inspection necessary or required to 1402
determine compliance with applicable requirements and for the 1403
issuance of a building permit by the reviewing authority 1404
provided that the plan review or inspection is within the scope 1405
of the architect's or engineer's area of competency. 1406

(4) If an architect or engineer conducts an inspection 1407
under this section, upon completion of the inspection, the 1408
architect or engineer shall submit a copy of the architect's or 1409
engineer's report to the reviewing authority. The reviewing 1410
authority shall accept the report without requiring further 1411

inspection by the inspectors or other personnel employed or 1412
contracted by the reviewing authority, unless the reviewing 1413
authority notifies the architect or engineer in writing, within 1414
two business days after the submission of the report, that it 1415
finds the report incomplete or the inspection inadequate. The 1416
written notice shall include a written description of the 1417
deficiencies and specific requirements that have not been 1418
adequately addressed. If the reviewing authority does not 1419
provide such written notice within two business days after 1420
submission of the report, the reviewing authority is deemed to 1421
have accepted all determinations of the architect or engineer in 1422
the report and, if merited by such determinations, the 1423
inspection shall be approved. 1424

(5) An applicant shall not retain an architect or engineer 1425
that has a conflict of interest with respect to the applicant to 1426
conduct a plan review or inspection under this section. An 1427
architect or engineer shall not conduct a plan review or 1428
inspection under this section for any applicant with respect to 1429
which the architect or engineer has a conflict of interest. 1430

(E) (1) Not more than thirty days after receiving both an 1431
application and a report from an architect or engineer under 1432
this section, the reviewing authority shall either issue the 1433
requested permit or provide written notice to the applicant 1434
identifying the specific plan features that do not comply with 1435
Chapters 3781. and 3791. of the Revised Code or rules issued 1436
pursuant to those chapters, including citations to the 1437
applicable code sections or rules. If the reviewing authority 1438
does not provide a written notice of the plan deficiencies 1439
within the time required by this division, the application is 1440
deemed approved as a matter of law, and the reviewing authority 1441
shall issue the permit on the next business day. 1442

(2) If the reviewing authority provides a written notice 1443
of plan deficiencies to the applicant, the date such notice is 1444
sent to the date the applicant responds to the notice do not 1445
count in determining compliance with the deadline prescribed by 1446
division (E) (1) of this section. The applicant may respond to 1447
the notice by submitting revisions to correct the deficiencies 1448
or additional information that demonstrates compliance with the 1449
applicable code sections or rules. 1450

(3) If the applicant submits revisions or additional 1451
information to address the plan deficiencies previously 1452
identified, the reviewing authority shall, within the remainder 1453
of the thirty-day period prescribed by division (E) (1) of this 1454
section plus five business days, either issue the requested 1455
permit or provide a second written notice to the applicant 1456
stating which previously identified plan features remain 1457
noncompliant, including citations to the applicable code 1458
sections or rules. If the reviewing authority does not provide 1459
the second written notice within the time required by this 1460
division, the application is deemed approved as a matter of law, 1461
and the permit shall be issued by the reviewing authority on the 1462
next business day. If the applicant revises the plan in a way 1463
that necessitates new approvals from the reviewing authority, 1464
the applicant shall obtain such approvals before submitting a 1465
revised application. 1466

(4) If the reviewing authority provides a second written 1467
notice of plan deficiencies to the applicant within the time 1468
required by division (E) (4) of this section, the applicant may 1469
respond by submitting additional revisions to correct the 1470
deficiencies or additional information that demonstrates 1471
compliance with the applicable code sections or rules. For 1472
responses submitted after the first revision, the reviewing 1473

authority shall, within the remainder of the thirty-day period 1474
prescribed by division (E) (1) of this section plus an additional 1475
five business days, do one of the following: 1476

(a) Issue the requested permit; 1477

(b) Provide written notice to the applicant stating which 1478
of the previously identified plan features remain noncompliant, 1479
including citations to the specific code sections or rules that 1480
apply; 1481

(c) Deny the application. 1482

(F) The applicant may initiate an expedited appeal under 1483
section 3781.21 of the Revised Code if any of the following 1484
apply: 1485

(1) The reviewing authority issues a third written notice 1486
to the permit applicant as provided in division (E) of this 1487
section. 1488

(2) The reviewing authority denies the application. 1489

(3) The reviewing authority notifies the architect or 1490
engineer submitting an inspection report that it finds the 1491
report incomplete or the inspection inadequate. 1492

(G) Upon issuance of applicable permits under this 1493
section, the reviewing authority is discharged and released from 1494
any liabilities, duties, and responsibilities imposed by this 1495
section, or in common law, from any claim arising out of, or 1496
attributed to, plans reviewed under this section. 1497

(H) Nothing in this section authorizes any private 1498
professional provider to issue a certificate of occupancy. 1499

Sec. 5552.02. (A) Except as provided in divisions (C) and 1500

(D) of this section, for the purposes of promoting traffic 1501
safety and efficiency and maintaining proper traffic capacity 1502
and traffic flow, a board of township trustees may adopt, by 1503
resolution, regulations for the management of access onto 1504
township roads in the unincorporated area of the township in 1505
accordance with sections 5552.05 and 5552.06 of the Revised 1506
Code. As part of those regulations, the board may require 1507
permits, including interim and temporary permits, for the 1508
construction, reconstruction, use, and maintenance of any point 1509
of access from public or private property onto those township 1510
roads. If the board adopts regulations that require permits, the 1511
regulations shall include standards that will be used for the 1512
approval or denial of a permit. Any regulations regarding the 1513
approval or denial of a permit shall specify a reasonable period 1514
for the approval or denial and shall provide that a failure to 1515
approve or deny, in whole or in part, any permit, license, or 1516
other approval sought within that period shall constitute a 1517
granting of approval for the permit, license, or other approval. 1518

Notwithstanding anything to the contrary in this division, 1519
a board of township trustees of a township other than an urban 1520
township may not adopt regulations authorized by this division 1521
until the date that is one year after ~~the effective date of this~~ 1522
~~section~~ October 24, 2002, and then only if the county does not 1523
adopt or initiate the process of adopting regulations under 1524
division (B) of this section within that one-year period. If the 1525
county initiates the process of adopting regulations under 1526
division (B) of this section within that one-year period but 1527
does not actually adopt regulations under division (B) of this 1528
section within two years after ~~the effective date of this~~ 1529
~~section~~ October 24, 2002, the township may adopt regulations 1530
authorized by this division on or after the date that is two 1531

years after ~~the effective date of this section~~ October 24, 2002.

(B) For the purposes of promoting traffic safety and efficiency and maintaining proper traffic capacity and traffic flow, the board of county commissioners may adopt, by resolution, regulations for the management of access onto county and township roads in the unincorporated area of the county in accordance with sections 5552.04 and 5552.06 of the Revised Code. As part of those regulations, the board may require permits, including interim and temporary permits, for the construction, reconstruction, use, and maintenance of any point of access from public or private property onto those county and township roads. If the board adopts regulations that require permits, the regulations shall include standards that will be used for the approval or denial of a permit. Any regulations regarding the approval or denial of a permit shall specify a reasonable period for the approval or denial and shall provide that a failure to approve or deny, in whole or in part, any permit, license, or other approval sought within that period shall constitute a granting of approval for the permit, license, or other approval.

The same county regulations that apply to county roads shall apply to township roads. Except as provided in divisions (C) and (D) of this section, upon their effective date, the county regulations shall apply to all county and township roads in the unincorporated area of the county.

(C) On or after the appropriate date provided in division (A) of this section for adopting regulations under that division, the board of township trustees of a township other than an urban township may adopt the regulations authorized by that division. If such a board of township trustees adopts

regulations, and a board of county commissioners later adopts 1562
regulations under division (B) of this section that apply to the 1563
same township roads, then, one year after the effective date of 1564
the county regulations, the regulations adopted by the board of 1565
township trustees shall be void, and the regulations adopted by 1566
the board of county commissioners shall apply to those township 1567
roads. However, the board of township trustees may establish an 1568
earlier date for the county regulations to take effect and the 1569
township regulations to be void by adopting a resolution 1570
establishing an earlier date and sending a certified copy of 1571
that resolution to the board of county commissioners. 1572

(D) Except as otherwise provided in this division, if an 1573
urban township adopts regulations under division (A) of this 1574
section and the county also adopts regulations under division 1575
(B) of this section that affect township roads in that township, 1576
the county regulations shall have no effect on the township 1577
roads in that township. If the urban township adopts its 1578
regulations after the county adopts its regulations, however, 1579
the county regulations shall remain in effect for one year after 1580
the township regulations are adopted unless the board of county 1581
commissioners establishes an earlier date for the county 1582
regulations to expire within that urban township. After the 1583
earlier established date or one year, whichever is applicable, 1584
only the township regulations shall apply to the township roads 1585
in that urban township, although the county regulations shall 1586
continue to apply to the county roads in that urban township. 1587

~~(E)~~ (E) (1) Any county regulations adopted under this 1588
section shall be, to the extent possible, consistent with county 1589
zoning regulations and coordinated with any existing township 1590
zoning regulations. Any township regulations adopted under this 1591
section shall be, to the extent possible, consistent with any 1592

county or township zoning regulations in effect in the township. 1593

(2) Any county or township regulations adopted or modified 1594
under this section shall not establish standards that are 1595
stricter than the corresponding state and federal regulations 1596
for similar points of access from public or private property 1597
onto similar public streets and highways. 1598

Sec. 5552.12. A board of county commissioners or board of 1599
township trustees that adopts access management regulations 1600
under section 5552.02 of the Revised Code shall require any 1601
necessary traffic studies related to the construction, 1602
reconstruction, use, and maintenance of any point of access from 1603
public or private property onto those county and township roads 1604
to be reviewed not later than forty-five days after the permit 1605
application is submitted. 1606

Section 2. That existing sections 122.06, 303.15, 519.02, 1607
519.03, 519.15, 519.25, 711.09, 3781.031, 3781.10, 3791.04, and 1608
5552.02 of the Revised Code are hereby repealed. 1609

Section 3. A township with a population of five thousand 1610
or more that does not have a comprehensive zoning plan in effect 1611
on the effective date of this section shall do both of the 1612
following: 1613

(A) Not later than thirty days after this section takes 1614
effect, appoint members to the decennial plan review commission 1615
established under section 519.023 of the Revised Code as enacted 1616
by this act. 1617

(B) Not later than six months after this section takes 1618
effect, adopt a comprehensive zoning plan in accordance with the 1619
applicable Revised Code sections, in consultation with the 1620
decennial plan review commission and the Department of 1621

Development. 1622

Section 4. The General Assembly hereby urges cities to 1623
adopt a comprehensive zoning plan. 1624