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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 361  
(1\_136\_1211-10)  
136<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 361's Bill Analysis](#)

**Version:** In House Local Government

**Primary Sponsors:** Reps. Lorenz and Fischer

**Local Impact Statement Procedure Required:** No

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### Highlights

- The Board of Building Standards will likely certify general contractors for code enforcement. The administrative costs for certification will be offset by application and renewal fees. These fees are deposited into Industrial Compliance Operating Fund (Fund 5560) appropriation line item 800615, Industrial Compliance.
- If a local building department fails to complete a plan review or building inspection within the specified timelines of the bill, it may forego some revenue while a certified third-party inspector or another building department completes the work.
- Conversely, certain building departments may receive additional revenue for completing reviews or inspections for properties within another department's jurisdiction.
- The 161 townships of population greater than 5,000 will incur new administrative costs for adopting comprehensive zoning plans and reviewing them every ten years as the bill requires. This includes forming a nine-person plan review commission and consulting with the Department of Development.
- Local governments may incur some minimal costs to adhere to the expedited timelines related to land use application decisions.
- Subjecting stop work orders to timely hearings could result in increased administrative costs to the jurisdiction enforcing building standards.

## Detailed Analysis

### Land use decisions

The bill makes several modifications to the time requirements for the approval or disapproval of various land use applications and appeals. Overall, these changes may result in some additional costs for potentially expediting these processes, or for modifications to required public notices. These costs, while not quantifiable, appear to be minimal.

First, the bill requires political subdivisions, and regional planning commissions to approve or disapprove an “entitlement application” within 90 days, otherwise it is deemed approved. This would include applications for variances, special or conditional uses, zoning changes, and other proposals that require approval of the body responsible for land use decisions. The bill further requires every entitlement application to receive at least one public hearing within 30 days after the application is submitted. The political subdivision is required to provide at least 14 days’ notice of this hearing with the date, time, and location of the meeting, by doing the following: (1) send postcards to the owners of the property within the proposed amendment, to the owners of adjacent properties, and to owners of property within 150 feet of the proposed amendment, (2) post signs within the area subject to proposed in the amendment, and (3) announce the hearing on the political subdivision’s website.

Secondly, the bill requires that appeals submitted to a county or township board of zoning appeals be decided within 30 days, rather than within a “reasonable time.” The bill also revises the notification requirements for these appeals to match the land use notifications described above. Finally, the bill increases the amount of time a municipal corporation may refuse approval of a plat before it is deemed approved, from 30 to 90 days.

### Township zoning

The bill contains land use planning provisions applicable to townships with populations of 5,000 or more that may result in additional administrative costs. In particular, the bill requires these townships to adopt a comprehensive zoning plan, subject to review every ten years, with consultation from the Department of Development (DEV) and a new nine-member township plan review commission, whose members would serve without compensation. (The commission would dissolve once the comprehensive plan is submitted to DEV.) The bill requires townships to use this comprehensive zoning plan as the basis for land use decisions, along with written explanations of how those decisions conform with the comprehensive zoning plan. According to the 2020 decennial census, there are 161 Ohio townships that have a population of 5,000 or greater.<sup>1</sup> Finally, the bill grants townships with a population less than 5,000 the authority to adopt a comprehensive zoning plan in the same fashion mandated above.

### Board of Building Standards

Under the bill, the Board of Building Standards (BBS) will likely incur additional administrative costs to certify certain additional individuals to enforce building codes, and these costs will be offset by certification fees. As of the beginning of FY 2026, there is a \$50 initial

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<sup>1</sup> Ohio Township Association township population list accessed November 13, 2025 at [ohiotownships.org/census-data](https://ohiotownships.org/census-data).

application fee which provides an interim certification for up to two years while the applicant completes the necessary training and tests to receive full status certification. The BBS provides training and continuing education credits at no cost. The International Code Council administers the tests needed for certification. Upon reaching full status certification, the individual will have three years before needing to pay \$30 every three years to renew their certification. These fees are deposited into the Industrial Compliance Operating Fund (Fund 5560). As of the beginning of FY 2026, the BBS notes that there are approximately 4,500 active certifications which are held by approximately 2,500 people.

The bill also requires the BBS to review the rules pertaining to the certification of persons to enforce the residential building code with the purpose of making the process more accessible and simple.

## **Building inspections**

The bill requires a building department to complete a plan review within 14 days of receipt or conduct a building inspection for either residential or nonresidential construction projects within four days of being requested to do so. If the review or inspection is not completed within these timelines, the bill then allows the project owner or general contractor for the project to hire a third-party private inspector, certified and listed by the BBS, to contract with a certified building department from another jurisdiction, or to contract with a certified engineer or certified architect within their scope of practice, to perform the plan review or building inspection.

As a result of these changes, it is possible that a building department with jurisdiction over the residential or nonresidential construction project could forego some revenue. Conversely, another building department which has been contracted to do the plan review or inspection in place of another building department could see additional revenue for undertaking these reviews or inspections. If a general contractor or owner contracts with a certified third-party private inspector, then the contractor or owner pays the fee pursuant to the contract. The changes the bill makes to this plan review and inspection process, however, still allow for the building department where the project is located to charge any standard fee that is customary for the approval, including an administrative or filing fee. But it cannot charge any fee related to the inspection. Finally, the bill specifies that BBS rules mandate that municipal, county, and township building departments accept plans and inspection reports from third-party building plan examiners and building inspectors. Taken together, the revised timeframes, as well as these mandated BBS rules, could reduce delays in approvals for such projects.

The bill also puts new conditions on stop work orders issued by a person enforcing building standards. These conditions include requiring that the owner, architect, engineer, or contractor be provided a timely meeting (two business days after the order was issued) and expedited appeal if the meeting is not timely or order not rescinded. These changes to the stop work order process could result in some increased administrative costs for entities enforcing building standards.

## **Road access management**

The bill establishes additional parameters for road access regulations by prohibiting counties and townships from adopting standards that are stricter than either state or federal regulations for similar points of access. The bill also requires a board of county commissioners or board of township trustees that adopt road access management regulations to require any

necessary traffic studies associated with a point of access location to be reviewed within 45 days after the application for construction or use of the access point is submitted to the board. To the extent that any such applications are submitted on behalf of another government body, there may be some minimal cost increases for expediting the completion of needed traffic studies.

## **Synopsis of Fiscal Effect Changes**

The substitute version of the bill (I\_136\_1211-10) requires townships with a population of over 5,000 to adopt a comprehensive zoning plan, and to do so in consultation with the Department of Development (DEV) and a nine-member plan review commission created by each township. The bill also requires a review or update of these plans every ten years. These provisions would result in increased administrative costs to applicable townships. According to the 2020 decennial census, there are 161 Ohio townships that have a population of 5,000 or greater.

The substitute bill modifies the timelines for plan review to within 14 days of receipt or conduct a building inspection for either residential or nonresidential construction projects within four days of being requested to do so. This reduction of timelines could result in more third-party inspections. Finally, the substitute bill subjects a stop work order issued by a person enforcing building standards to a requirement that the owner, architect, engineer, or contractor be provided the right to a timely meeting (two business days after the order was issued) and expedited appeal if the meeting is not timely or the order is not rescinded. These changes all seem likely to result in some cost increases for the entities responsible for enforcing building standards.