

4781-7-04

**Building departments and health departments; requirements for certification to perform inspections of manufactured homes.**

- (A) Before exercising authority to enforce Chapter 4781. of the Revised Code or the rules promulgated thereunder, and before accepting and approving plans pursuant to Chapter 4781. of the Revised Code or the rules promulgated thereunder, municipalities, townships and county building departments and health departments and their required personnel shall be certified by the commission.
- (B) A building department certified by the board of building standards shall submit an application for certification or renewal on a form approved by the commission that includes:
- (1) A copy of the board of building standards certificate of approval including the statement of conditions and limitations if any under which it has been issued;
  - (2) The names, addresses and qualification of persons, firms or corporations contracting to furnish work or services if such persons, firms or corporations are under contract to furnish inspection services and if authority is exercised pursuant to the contract. A minimum of one inspector certified by the commission, a back-up inspector certified by the commission, and an electrical safety inspector (ESI) as employees or under contract are required;
  - (3) The names of other municipal corporations, townships, counties, health districts or other political subdivisions contracting work or services if such other political subdivision is under contract to furnish services related to manufactured home installation inspection;
  - (4) A signature of an authorized representative or an appropriate official for the political subdivision;
  - (5) Proof of the approval of the governmental entity through the adoption of ordinance or resolution granting authority for the work contracted with the commission; ~~and~~
  - (6) Map of the jurisdictional area; and
  - (7) Inspection and plans review procedures.
- (C) Each ~~building~~ department shall be required to provide to the commission daily website updates to the ~~OMHC~~ commission seal report regarding permit issuance activities pursuant to these rules, within twenty-four hours after the issuance of an installation permit.

- (D) The commission shall be provided with notification of changes in personnel of the department who enforce the rules of the commission within thirty calendar days after such personnel changes have been made.
- (E) The commission may revoke a building department's certification following an investigation which establishes that the building department or its employees violated Chapter 4781. of the Revised Code or rules promulgated thereunder. The commission may initiate an investigation on its own motion or upon receipt of a complaint. If the commission proposes to revoke an inspector or a building department's certification, the commission shall conduct a hearing pursuant to Chapter 119. of the Revised Code. If the commission finds that the building department inspector or the building department has violated the rules, the commission may decertify, suspend or issue a fine or a combination thereof. Any fine imposed cannot exceed ~~five hundred~~ one thousand dollars per ~~day~~ per day of violation. A building department employee inspector or the building department shall return the certification and identification card to the commission within three business days after receipt of the commission's order.
- (F) A building department's certification shall be valid for three years. Each building department shall apply for renewal of its certification prior to the expiration date of its certification date and pay a non-refundable renewal fee in an amount set forth in paragraph (G) of this rule. If the building department fails to renew its certification on or before the expiration of its certification, it shall pay the renewal fee plus an additional late fee as set forth in paragraph (G) of this rule. The certification shall not be renewed until the building department has paid the renewal and the late fee, if any. If the building department fails to renew its certification prior to the expiration of the certification, the certification shall be placed on lapsed status. A building department can activate their certification within the first three years of the lapsed status by paying the renewal fee and late fee, if any, and complying with all other requirements.
- (G) Fees. There is no fee for a board of building standards certified building department requesting commission certification or renewal.
- (H) A building department not certified by the board of building standards or health department may be certified by the commission in accordance with this rule provided the following is submitted:
- (1) Information required in paragraphs (B)~~(2) to (B)(6)~~through (F) of this rule;
  - (2) The following additional information:

- (a) A copy of the ordinance/resolution creating the department including the date established;
  - (b) An organizational chart of the department;
  - ~~(c)~~ Inspection and plans review procedures;
  - ~~(d)~~(c) List of employees or independent contractors who will be performing the inspections or plans review. A minimum of one inspector certified by the commission, a back-up inspector certified by the commission, and an electrical safety inspector (ESI) as employees or under contract are required;
  - ~~(e)~~(d) Copy(ies) of all contractual agreements, if any, regarding any persons or employee that will be providing inspections, plans review, electrical inspections, sewer connection inspections, and plumbing inspections;
  - ~~(f)~~(e) Operating budget for the current fiscal year;
  - ~~(g)~~(f) Population data from the last census.
- (3) Fees: There is no fee for a building department not certified by the board of building standards or health department requesting commission certification or renewal.
- (I) If a building department not certified by the board of building standards or health department fails to renew its certification on or before the expiration of its certification, it shall pay the renewal fee plus an additional late fee, if any, as set forth in paragraph (H)(3) of this rule. The certification shall not be renewed until the department has paid the renewal and the late fee, if any. If the department fails to renew its certification prior to the expiration of the certification, the certification shall be placed on lapsed status. A department can activate their certification within three years of the lapsed status by paying the renewal fee and late fee, if any, and complying with all other requirements.
- (J) After an investigation, if a finding of facts establishes that a building department or health department certified under paragraph (H) of this rule or any of their employees has not complied with Chapter 4781. of the Revised Code or the rules promulgated thereunder, the commission may decertify the department. The commission may initiate and investigation on its own motion or upon receipt of a complaint. If the commission proposes to decertify an inspector employed by or retained by a building department or health department, the commission shall

conduct a hearing pursuant to Chapter 119. of the Revised Code. If the commission finds that the department employee or inspector or the department has violated this chapter, the commission may decertify, suspend or issue a fine or a combination thereof. Any fine imposed cannot exceed ~~five hundred~~ one thousand dollars per ~~day~~ per violation per day. A department's inspector or the department shall return the certification and identification card to the commission within three business days after receipt of the commission's order.

- (K) As it relates to installation inspections, there will be no exclusivity under this commission's authority. A certified building department or certified health department may contract with a jurisdiction outside its respective political subdivision to perform non-exclusive manufactured home installation inspections in that political subdivision, but if so, must notify the Ohio manufactured homes commission of the non-exclusive agreement and must provide a copy of the executed contract to the commission prior to permitting/inspecting outside of their jurisdiction.

Effective: 12/01/2012

R.C. 119.032 review dates: 10/01/2014

CERTIFIED ELECTRONICALLY

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Certification

11/20/2012

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Date

Promulgated Under: 119.03  
Statutory Authority: 4781.04, 4781.07  
Rule Amplifies: 4781.04, 4781.07  
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