

## ORD1207-2022 Special Inspector Registration - Attachment

**SECTION 1.** That the existing Section 4101.19 of the Columbus City Codes is hereby amended to read as follows:

### **4101.19 Letter S.**

"Shared-use path" (Class I Bikeway) means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the street or highway right-of-way or within an independent alignment. A shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, and other authorized motorized and non-motorized users.

"Shed" means a roofed one-story structure, open on one or more sides, and not a porch or marquee as defined in this chapter.

"Sidewalk space" means the part of a public street provided or set apart as a walkway for pedestrians, including the planting strip when the same exists, as distinguished from the roadway of said street.

"Skeleton construction" means that construction whereby all external and internal loads and stresses are transmitted to the foundation by a skeleton or framework of metal, or concrete reinforced by metal.

"Special Inspection" means an inspection of construction requiring the expertise of an approved special inspector in order to ensure compliance with this code, the Ohio Building Code and the approved documents.

"Special Inspector" means a qualified person who shall demonstrate competence for the inspection of the particular type of construction or operation requiring special inspection.

"Spire" means a tapering structure with vertical dimensions much greater than the dimension of the base.

"Structure" means an assembly of materials forming a construction for occupancy or use, including but not limited to: building; stadium; gospel or circus tent; reviewing stand; platform; staging; observation tower; communication, radio or television tower; water tank; trestle; pier; wharf; open shed; coal bin; shelter; fence in excess of six feet in height; display sign; dish antenna and any other similar assembly of materials. The word "structure" is construed as if followed by "or parts thereof."

**SECTION 2.** That the existing Section 4107.02 of the Columbus City Codes is hereby amended to read as follows:

### **4107.02 Duties and Powers of the Columbus Building Commission generally.**

~~(a)~~ The duties and powers of the Columbus Building Commission ~~as indicated in this section~~ shall only apply to buildings or structures not regulated by the Ohio ~~Basic~~ Building Code or the more restrictive ordinances to the Ohio ~~Basic~~ Building Code as provided for in the Columbus Building Code and as specifically indicated in subsection (B) below:

(A) The Columbus Building Commission shall have the following general duties and powers:

(1) To make, adopt, and from time to time, alter its own rules or procedures for the conduct of its meetings and proceedings;

(2) To select its own officers in accordance with the by-laws adopted by the board;

(3) To perform other related duties required either by this Building Code or as directed by the building official or the department;

(4) ~~(b)~~ In any case where the provisions of this Building Code do not specifically cover a proposed erection, construction, enlargement, alteration, repair, removal, demolition, conversion, or equipment of a building or structure or where the application of a specific requirement of this Building Code to any of the enumerated proposed operations will work an unreasonable hardship or is impracticable, the building commission may after a hearing authorize the conduct of any such operation in such a manner as to relieve against such hardship or impracticability, provided, however, that any authorization so granted by the building commission will not endanger the safety of the persons or property.

(a) ~~(e)~~ Any person seeking such an authorization as herein provided shall do so by filing a written application with the building commission setting forth fully the basis upon which such authorization is sought and a copy shall be served upon the building inspector.

(b) ~~(d)~~ A majority vote of all the members of the building commission is necessary before any such authorization may be permitted.

(B) Specific Duties and Powers. The Columbus Building Commission shall have the additional specific duties and powers as hereinafter indicated in this subsection:

(1) The Columbus Building Commission is authorized and empowered to review the qualifications of all applicants who have filed a complete application for action and review to obtain a special inspector registration from the department. For those applicants who the board has found to meet all such qualifications, the board shall certify their names to the department for the issuance of a special inspector registration.

(2) The Columbus Building Commission shall adjudicate matters pertaining to a department-registered special inspector.

(3) The Columbus Building Commission may suspend or revoke the relevant department-issued registration who, after notification and hearing:

(a) Shall have been found to have violated the terms of this chapter, or

(b) Shall have failed to obtain a registration certificate, or

(c) Shall have failed to ensure compliance with the approved documents or provided notification to the building official of discrepancies as required by the Ohio Building Code relating to the inspection and approval of such work, within the city; or

(d) Shall have been shown to be persistent and habitual violators of the laws of the state, the provisions of this Building Code or other ordinances of the city relating to special inspections within the City of Columbus.

**SECTION 3.** That existing Section 4107.03 of the Columbus City Codes is hereby amended to read as follows:

**4107.03 - Suspension of license, permit or registration.**

~~Notwithstanding the other provisions of this Building Code, the building commission, after notice and hearing, may suspend for any period not exceeding six months or revoke any license or permit issued under the provisions of this Building Code for incompetency; unfair, unjust, inequitable, or fraudulent practices, or for violation of the laws of the state, or ordinances of the city, relative to building.~~

Notwithstanding the other provisions of this Building Code, the building commission, after notice and hearing, may suspend, for any period not exceeding six months, or revoke any license, permit or registration issued under the provisions of this Building Code for the following reasons:

(1) incompetency; unfair, unjust, inequitable, or fraudulent practices, or for violation of the laws of the state, or ordinances of the city, relative to building.

(2) shall have failed to obtain a license, permit or registration certificate.

(3) Shall have been shown to be persistent and habitual violators of the laws of the state, the provisions of this Building Code or other ordinances of the city relating to special inspections within the City of Columbus.

**SECTION 4.** That existing Section 4114.103 of the Columbus City Codes is hereby amended to read as follows:

**4114.103 Scope.**

The provisions of this chapter for department-issued licensing and registration apply to the construction, addition, prefabrication, alteration, repair, ~~and~~ maintenance ~~and~~ special inspection of all types of buildings or structures and their accessory structures, including the building service equipment associated therewith that is either governed or regulated by the Columbus Building Code or the Ohio Building Code (OBC).

**SECTION 5.** That Columbus City Codes are supplemented with the creation of a new section numbered 4114.114, reading as follows:

**4114.114 Work of a registered special inspector.**

(A) Registration Required. It shall be unlawful to undertake or perform work of a department-registered special inspector without first obtaining a department-issued registration to perform such work, unless such work will be performed under the auspices of a department-issued registration as required by this chapter.

(B) The requirements of subsection (A) above shall apply to all buildings or structures governed by the Ohio Building Code (OBC).

(C) No special inspector registration shall be required of any person when acting in the particular capacity or particular type of transaction set forth in this subsection as follows:

(1) A person who performs labor or services for a department-registered special inspector for wages, salary, or compensation of any type, manner or form as an employee of and under the direct supervision of a registered special inspector;

(2) Any retail clerk, clerical, administrative, or other employee of a department-registered special inspector.

**SECTION 6.** That the existing Section 4114.901 of the Columbus City Codes is hereby amended to read as follows:

**4114.901 Applicability for Department issued registrations ~~registration for a, demolition contractor, general contractor, or fire alarm and detection equipment and/or fire protection company and the required registration of the individual certification associated therewith.~~**

(A) Columbus Building Code Sections, ~~but not limited to~~, C.C. 4114.901, up to, and including C.C. 4114.937, are applicable to the registrations issued by the department and required for the following:

(1) Special Inspectors;

~~(1)~~ (2) Demolition contractors;

~~(2)~~ (3) General contractors, pursuant to C.C. 4114.113;

~~(3)~~ (4) Fire alarm and detection equipment and/or fire protection companies; and/or

~~(4)~~ (5) Certified individuals providing scope of work validation for fire alarm and detection equipment and/or fire protection companies.

(B) The registration of certified individuals providing validation for such fire alarm and detection and/or fire protection companies is required and shall be a part of the application for registration as a fire alarm and detection and/or fire protection company with the department.

**SECTION 7.** That Columbus City Codes are supplemented with the creation of a new section numbered 4114.902, reading as follows:

**4114.902 Application for and certification of a registration as a special inspector.**

(A) Any person desiring to be a special inspector shall apply to the department for such registration on a form prescribed therefor, together with the nonrefundable fee as required by the fee schedule.

(B) The applicant for special inspector registration shall meet the following requirements:

(1) Be not less than 18 years of age; and

(2) Be a United States citizen or national, a lawful permanent resident, or an individual authorized to work in the United States; and

(3) Meet the minimum qualifications required by the Chief Building Official.

(C) An application for registration as a special inspector shall be confirmed and signed under oath by the applicant. The application shall contain the following information:

(1) Name of the applicant;

(2) Name of business entity to be registered by the applicant;

(3) Date of birth;

(4) Current residence and business address(es) of the applicant;

(5) Current residence and business telephone number(s) of the applicant;

(6) Dates of previous registrations with the department, if any and

(7) Other information deemed necessary by the department.

(D) The department's building commission shall review the application for a special inspector registration. The Building Official may issue a 90 day interim special inspector registration for due cause.

(E) After completing a review of the application for qualifications of an applicant for a special inspector registration, the building commission shall certify the name of the eligible applicant to the department, whereupon the department, within five working days shall, by certified mail, notify the applicant of their eligibility.

(F) The eligible applicant shall pay for and have completed the processing of the special inspector registration at the department within 90 calendar days after notification that the building commission has certified the applicant. Failure to complete the entire registration process within 30 calendar days after notification by the department, shall create liability for payment of the late charge prescribed in the fee schedule; after 90 calendar days the applicant's certification for a special inspector registration shall be voided.

**SECTION 8.** That the existing Section 4114.921 of the Columbus City Codes is hereby amended to read as follows:

**4114.921 Fees for a Department issued registration. ~~demolition contractor, general contractor, fire alarm and detection equipment and/or fire protection company registration and certified individual registration.~~**

(A) Special Inspector, Demolition Contractor and/or General Contractor Registration. A non-refundable fee, as established by the fee schedule, shall be charged for each of the following ~~conditions~~:

(1) The application; and

(2) The registration; and

(3) The registration renewal. ~~of a demolition contractor registration and/or general contractor registration.~~

~~All such fees are nonrefundable.~~

(B) Fire Alarm and Detection Equipment and/or Fire Protection Company Registration. A non-refundable fee, as established by the fee schedule, shall be charged for each of the following ~~conditions~~:

(1) The registration; and

(2) The registration renewal ~~of a fire alarm and detection equipment and/or fire protection company registration.~~ ~~All such fees are nonrefundable.~~

(C) Certified Individual Registration. A non-refundable fee, as established by the fee schedule, shall be charged for each of the following ~~conditions~~:

(1) The registration; and

(2) The renewal of the certified individual registration that provides a category of validation of Section 4114.909 (B) for a fire alarm and detection equipment and/or fire protection company registration. Each category of validation shall require a separate registration and a separate fee to be charged for it. ~~All such fees are nonrefundable.~~

(D) In addition to the above fees ~~described above~~, there may be other fees stipulated by this code included in the fee schedule that pertain to a special inspector, demolition contractor, general contractor, a fire alarm and detection equipment and/or fire protection company and a certified individual registration. ~~All such fees are nonrefundable.~~

(E) A late fee as prescribed by the fee schedule shall be added to the renewal fee if the department receives the application for renewal after the date of expiration and expiration of the grace period as specified in the fee schedule. Any renewal application received more than 90 calendar days from the initial date of expiration shall be deemed a new application requiring recertification by the appropriate board of review or building commission. This recertification may be waived at the sole discretion of the Director upon completion of the specified forms by the applicant.

(F) Any person serving in the United States Armed Forces shall be exempt from license registration fees during the period of the person's active duty. The person's license registration may be renewed within 90 days of termination of active duty.

**SECTION 9.** That the existing Section 4114.923 of the Columbus City Codes is hereby amended to read as follows:

**4114.923 Registration number for a Department issued registration. Registered demolition contractor, registered general contractor or fire alarm and detection equipment and/or fire protection company registration number.**

(A) The department shall issue a unique number for each special inspector, demolition contractor, general contractor and fire alarm and detection equipment and/or fire protection company registered with the department who shall exclusively retain the use of such number. Annually thereafter, such special inspector, demolition contractor, general contractor and fire alarm and detection equipment and/or fire protection company registration shall be renewed using the same number.

(B) When the holder of a special inspector registration, demolition contractor registration and/or a general contractor registration assigns the right to a registration to a business concern, the registration shall bear the individual's name and unique registration number.

(C) When more than one demolition contractor registration-holder ~~and/or~~ general contractor registration-holder assigns their registration to a business concern, the bond provided by the registered-business shall be sufficient for all demolition contractor or general contractor registrations assigned to the business concern during the same registration period.

**SECTION 10.** That the existing Section 4114.925 of the Columbus City Codes is hereby amended to read as follows:

**4114.925 Expiration and renewal of a special inspector, demolition contractor and general contractor registration.**

(A) The provisions of this section concerning expiration and renewal only apply to special inspector registrations, demolition contractor registrations and general contractor registrations issued by the department.

(B) A special inspector registration, demolition contractor registration and/or a general contractor registration shall expire at the end of the twelfth month after the date of issuance. Special inspector registrations approved via the former administrative review process shall expire on January 1, 2023.

(C) A bond submitted for a demolition contractor registration ~~and/or~~ general contractor registration renewal shall be signed by the individual who has qualified for the registration, regardless of any assignment to a business concern.

(D) A special inspector registration, demolition contractor registration and/or a general contractor registration may be renewed at any time during the 90 calendar days prior to its expiration date; however, such early renewal shall comply with all the requirements for such renewal.

(E) A person whose ~~contractor~~ registration has expired shall not perform any work governed by this code until a renewal of the special inspector registration, demolition contractor registration and/or the general contractor registration is issued by the department. No permits shall be issued to a registrant with an expired ~~demolition contractor registration or general contractor registration~~ and no approval shall be granted for a registrant on a Statement of Special Inspections with an expired special inspector registration.

(F) A registered demolition contractor, or the registered demolition contractor's business and/or a registered general contractor or the registered business, which fails to correct work which does not comply with this building code, shall be denied the renewal of the demolition contractor's registration ~~and/or~~ general contractor registration until compliance with this building code shall have been secured.

**SECTION 11.** That the existing Section 4114.933 of the Columbus City Codes is hereby amended to read as follows:

**4114.933 Assignment and issuance of a Department issued registration ~~demolition contractor, general contractor or fire alarm and detection equipment and/or fire protection company~~ and of a certified individual registration to business concern.**

(A) Special Inspector, Demolition Contractor and General Contractor Registration. A special inspector's registration, demolition contractor's registration, ~~and/or~~ a general contractor's registration, shall be issued in the name of the registrant who successfully met the qualifications as required by this chapter. However, said

registrant, at the time of applying for such ~~contractor~~ registration, or at any time thereafter, may assign, the rights of a ~~contractor~~ registration to a business concern with whom the registrant is associated as a legal, full-time officer, proprietor, partner, or employee. The registrant may designate that the ~~contractor~~ registration shall be issued in the name of said concern. In such event, such ~~contractor~~ registration shall be issued in the name of said business concern, and said concern shall be known as the registered business. The registrant shall not be issued a ~~contractor~~ registration in the registrant's own name during the period the registrant is associated with said business concern. In such event, the ~~contractor~~ registration shall state on its face the name and position in the business concern of the registrant who has qualified for the ~~contractor~~ registration under the terms of this chapter. No registrant may be named on more than one ~~contractor~~ registration at the same time.

The special inspector, demolition contractor and/or general contractor registration-holder is required to notify the department immediately of any change of status of the registration-holder's ~~contractor~~ registration. In the event the special inspector, demolition contractor and/or general contractor registrant named on the ~~contractor~~-registration disassociates the contractor or registrant from the registered-business, the ~~contractor~~ registration shall become null and void 90 calendar days after such disassociation, unless another special inspector, demolition contractor or general contractor registration-holder becomes associated with the business concern. This new registration-holder shall immediately notify the department in writing of the association with the business concern and shall immediately assign the registration to the business concern. During this 90 calendar day period, the work on existing permits or projects may be followed through to completion, but no new work shall be commenced.

In such event, a new ~~contractor~~ registration, setting forth the name of the new registrant, shall be issued to the registered-business. A nonrefundable fee, as prescribed by the fee schedule, shall be required for the issuance of this new registration within the same registration year.

A license registration-holder may transfer the assignment of a license registration from one company to another, including to change the name of the company, once per 90 calendar days, unless the license registration has been assigned to an entity also held by the license-registration-holder (self-assigned license registration). If this time frame is exceeded, the license registration holder shall submit a name change exception request and board application fee to the appropriate review board or building commission.

When a special inspector registration, demolition contractor registration and/or a general contractor registration is assigned to a business concern, all work carried on by the registered-business shall be deemed to be carried on under the personal supervision of the registrant named in the special inspector registration, demolition contractor registration or general contractor registration. Therefore, any violations of the terms of the ~~contractor~~ registration or of this Building Code shall be imputed to the registrant named therein. The special inspector registration-holder, demolition contractor registration-holder and/or the general contractor registration-holder shall be actively engaged in the business and shall be readily available for consultation with the department within two business days after notification.

No special inspector, demolition contractor and/or general contractor registration-holder shall permit the ~~contractor~~ registration to be used in more than one business at any time. It shall be cause for revocation by the department of the ~~contractor~~ registration issued to a business concern if it shall be shown that the registrant is not, or is no longer, a legal, full-time officer, proprietor, partner or employee of said registered business concern. No special inspector registrant, demolition contractor registrant and/or general contractor registrant shall be entitled to be named in any ~~contractor~~ registration who shall have outstanding against them, as an individual, or as a full-time officer, proprietor, partner, or employee of a business concern, any suspension or revocation of another ~~contractor~~ registration or department license. However, another qualified special inspector, demolition contractor and/or general contractor registration-holder who is a full-time, proprietor, partner or employee may be substituted upon proper application after payment of a non-refundable fee as prescribed in the fee schedule.

(B) Fire Alarm and Detection Equipment and/or Fire Protection Company. The registration of a fire alarm and detection equipment and/or fire protection company may not be assigned with the department. A fire alarm and detection equipment and/or fire protection company registration shall only be issued in conformity to the Ohio Division of State Fire Marshal, Bureau of Licensing and Certification issued company certification submitted with the application. If any change or modifications to the fire alarm and detection equipment and/or fire protection company certification are needed, they shall be made with the state of Ohio Division of State Fire

Marshal, Bureau of Licensing and Certification prior to making an application for a fire alarm and detection equipment and/or fire protection company registration with the department.

The fire alarm and detection equipment and/or fire protection company registration-holder is required to notify the department immediately of any change of status of the registration-holder's Ohio Division of State Fire Marshal fire issued company certification.

When a change is made to the Ohio Division of State Fire Marshal issued company certification with the issuing agency subsequent to obtaining a fire alarm and detection equipment and/or fire protection company registration with the department, such change shall immediately invalidate the fire alarm and detection equipment and/or fire protection company registration issued by the department to the Ohio Division of State Fire Marshal company certification-holder. In addition, if continued registration with the department is needed, it will require that an application be made and payment of a non-refundable fee as prescribed in the fee schedule for a new fire alarm and detection equipment and/or fire protection company registration that will conform to the changes made in the Ohio Division of State Fire Marshall issued company certification so as to re-establish the Ohio Division of State Fire Marshal fire alarm and detection equipment and/or fire protection company registration with the department.

All work carried on by a registered fire alarm and detection equipment and/or fire protection company shall be deemed to be carried on under the personal supervision of the person named on the Ohio Division of State Fire Marshal issued company certification and the applicable registered certified individual(s) providing the validation of the category of work in Section 4114.909(B). Therefore, any violations of the terms of a department-issued fire alarm and detection equipment and/or fire protection company registration, or of this Building Code, shall be imputed to the person(s) named on the Division of State Fire Marshal, Bureau of Licensing and Certification company certification and the applicable registered certified individual(s) providing the validation of the category of work in Section 4114.909(B). The person(s) named on the Ohio Division of State Fire Marshal company certification and certified individuals shall be readily available for consultation with the department within two business days after notification.

(C) Fire Alarm and Detection Equipment and/or Fire Protection Certified Individual Assignment. Upon notification of the department's license section, the registration of a certified individual that provides a category of validation of C.C. 4114.909(B) for a department-registered fire alarm and detection equipment and/or fire protection company may be transferred to another such company duly registered with the department. However, such reassignment shall only occur after a completed application on a form prescribed by the department and the payment of a nonrefundable fee as prescribed by the fee schedule has been received and processed by the department license section.

**SECTION 12.** That the existing Section 4114.937 of the Columbus City Codes is hereby amended to read as follows:

**4114.937 Suspension and revocation of a Department issued registration ~~demolition contractor, general contractor or fire alarm and detection equipment and/or fire protection company registration.~~**

Upon receiving a complaint in writing, made by any person and subscribed to by such complainant, and sworn to affirmatively by the complainant before an officer of the department or magistrate authorized to administer oaths, stating in substance facts indicating that a registered special inspector, registered demolition contractor, registered general contractor, registered fire alarm and detection equipment and/or fire protection company, or a certified individual providing scope of work validation for fire alarm and detection equipment and/or fire protection companies, shall have done any of the things herein before mentioned which constitute cause for the suspension or revocation of their special inspector, contractor or company registration, the secretary of the relevant board of review or building commission shall cause a copy of such complaint to be served by certified mail on such registration-holder complained of. This notice shall also identify the board of review or building commission that will adjudicate the complaint, the location, time, and date upon which such complaint will be heard by the board of review or building commission. The hearing by the board of review or building commission shall be at some time not later than 60 calendar days after the filing of such complaint with the department.

Concurrently, the complainant shall also be notified as to the time, date and place of the hearing. At the time, place, and date mentioned in such notices, the relevant board of review or building commission shall hear the testimony of such complainant, and of the registration-holder complained against, relative to the matters set forth in such written complaint, and also the testimony of any person(s) having knowledge of the facts and brought before such board as a witness(s). All such testimony shall be heard under the oath or affirmation of the persons testifying. The board of review or building commission shall have the power to adjourn, or continue, such hearings or to change the place thereof as the circumstances of the particular case may require.

The board of review or building commission shall determine the truth or falsity of the matters charged in the complaint after hearing the testimony upon such complaint. In addition, the board of review or building commission shall also determine whether any violation of the terms and conditions under which the registration was issued to the registration-holder complained of has occurred. If the board of review or building commission determines that such complaint is not true, or the testimony fails to show that any violation of the terms under which such registration was issued has been committed, the board of review or building commission shall forthwith dismiss such complaint.

If, however, it was ascertained that a violation has been committed, the board of review or building commission shall have the authority to suspend for a period not to exceed six months, or to revoke the registration held by the registration-holder. Any registration-holder whose registration shall be so revoked shall not be entitled to apply for the issuance of a new registration for a period of one calendar year after the date of such revocation, and not until such former registration-holder has corrected the cause, for which such registration was revoked or suspended, if a specific cause was stated. The penalty attached in each case shall be at the discretion of the board of review or building commission and up to the limits prescribed herein.

The secretary of the relevant board of review or building commission shall notify the department's licensing section, in writing, by no later than the close of business of the following work day after the final determination of the board of review or building commission's hearing was made concerning the complaint filed against the registration-holder.

The decision of the relevant board of review concerning a revocation or suspension of the registration of a demolition contractor or fire alarm and detection equipment and/or fire protection company registration-holder shall be appealed to the Columbus building commission pursuant to Chapter 4107. Such an appeal shall be limited to the record created during the proceeding before the applicable board of review or the department's licensing section as applicable. An appeal before the building commission pursuant to Chapter 4107 shall not be a trial de novo. Such an appeal to the Columbus building commission shall be filed within 31 calendar days from the date the board of review or the department's licensing section, as applicable, made its determination. Following revocation, or during any period of suspension, such revoked former or currently suspended registration-holder shall not perform any new permit work of a registered contractor or company, and no permit shall be issued thereto by the department.

**SECTION 13.** That prior existing sections 4101.19, 4107.02, 4107.03, 4114.103, 4114.901, 4114.921, 4114.923, 4114.925, 4114.933 and 4114.937 of the Columbus City Codes are hereby repealed.

**SECTION 14.** That this ordinance shall take effect and be in force from and after the earliest period provided by law.