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Substitute Bill Comparative Synopsis

Sub. H.B. 361

136th General Assembly

House Local Government

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_136_1211-10)
Require townships to adopt zoning	
No provision.	Requires townships with a population of 5,000+ to adopt a comprehensive zoning plan, with consultation from the Department of Development and a nine-member plan review commission each township is required to create. Requires a comprehensive review/update of that plan every ten years, with consultation from the Department of Development and the decennial plan review commission. Requires the township to use the comprehensive zoning plan as the basis for land use decisions and to, for any zoning-related decision/resolution/ordinance, provide a written narrative describing how the decision/resolution/ordinance conforms with the comprehensive zoning plan. (<i>R.C. 122.06, 519.02, 519.023, 519.024, 519.03, and 519.25; Section 3.</i>)

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Urge cities to adopt zoning	
No provision.	Urges cities to adopt a comprehensive zoning plan (<i>Section 4</i>).
Zoning timeframes	
Requires counties, townships, and municipal corporations to make zoning decisions within 90 days.	Same, but also (1) applies to regional planning commissions and (2) allows an applicant to request a 60-day extension or an indefinite pause.
Exempts from the 90-day decision period any application that has any deviation.	Limits this to any application that is materially revised.
Requires the county, township, or municipal corporation to provide notice to the owners of property located within 250 feet of the area proposed to be changed (among others).	Reduces the required notice area from 250 feet to 150 feet.
Stop work order and notice	
No provision.	Subjects a stop work order issued by a person enforcing building standards under Ohio law, rules, and regulation to a requirement that the owner, architect, engineer, or contractor has the right to a timely meeting (two business days after the order is issued) and expedited appeal if the meeting is not timely or the order is not rescinded. Requires the person issuing the stop work order to provide notice to the owner, architect, engineer, or contractor by posting the notice conspicuously at the project site and by including in the notice the rights described above. (<i>R.C. 3781.031(B)(1) and (3).</i>)
Plan review by certified architect or engineer due to delay	
No provision.	Provides an <i>additional</i> or <i>alternative</i> path of recourse for delayed inspections to the path created under H.B. 96 of the 136 th General Assembly, which provided for the use of third-party examiners and inspectors by authorizing a building owner that applies for inspection or plan review of a residential or nonresidential building permit to contract with a certified architect or

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	engineer to conduct plan review and inspections within the architect's and engineer's scope of practice, if the building department or the Division of Industrial Compliance notifies the applicant that it will not complete the plan review within 30 days or the inspection within two days of receiving the application (<i>R.C. 3791.04 and 3791.043</i>).
Conflict of interest	
No provision.	Prohibits any architect or engineer with a conflict of interest to provide plan reviews or inspections (<i>R.C. 3781.043(A)(5) and (D)(2) and (5)</i>).
Third-party examiners	
Makes various changes regarding certification of code enforcement officials and third-party examiners and inspectors and requires the Board of Building Standards (BBS) to adopt rules necessary to implement the bill's provisions regarding third-party private inspectors. These changes were proposed to a version of R.C. 3781.10 that was subsequently amended to address the same issues, but in a different fashion, by the Biennial Budget Bill, H.B. 96 of the 136 th General Assembly. (<i>R.C. 3781.10(E)(3), (7), and (11)</i> .)	Changes the requirements of R.C. 3781.10, as amended by H.B. 96 of the 136 th General Assembly, (1) regarding BBS rules addressing examination and inspection personnel to expand the certification disqualification for certain general contractors, owners, or applicants and (2) to require BBS rules mandate municipal, township, and county building departments to accept plans examination and inspection reports from third-party building plan examiners and building inspectors (<i>R.C. 3781.10(E)(11) and (15)</i>).
Defines "owner" to mean the fee owner of any building or structure (<i>R.C. 3781.181(A)(2)</i>).	Defines "owner" as having the same meaning as in the Appropriation of Property Law, where it means any individual, partnership, association, or corporation having any estate, title, or interest in any real property sought to be appropriated (<i>R.C. 3781.181(A)(2); R.C. 163.01, not in the bill</i>).
Defines "third-party private inspector" to mean an inspector that is certified under Ohio law to accept and approve plans and specifications, and to make inspections of residential or nonresidential building construction projects but who is not directly employed by a governmental entity (<i>R.C. 3781.181(A)(3)</i>).	Specifies that a third-party private inspector is not directly employed by the governmental entity <i>having jurisdiction</i> (<i>R.C. 3781.181(A)(3)</i>).

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Requires a building department with jurisdiction over a building construction project to review plans and conduct the building inspection within 30 days after receiving a plan review or inspection request (<i>R.C. 3781.181(B)</i>). Establishes that plan approvals for fire and sprinkler plans are not permitted to interfere with the issuance of a certificate of plan approval or a building permit (<i>R.C. 3781.181(D)(6)</i>).	Reduces the timeframe to review plans to fourteen days after receiving a plan review (<i>R.C. 3781.181(B)</i>). Reduces the timeframe to conduct the building inspection to four days after receiving an inspection request (<i>R.C. 3781.181(B)</i>). No provision.
Traffic studies	
Requires the traffic studies related to the construction, reconstruction, use, and maintenance of a point of access from public or private property onto a county or township road to be completed within 45 days of submission of the permit application.	Changes this from “completed” within 45 days to “reviewed” within 45 days.