



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: S.B. 205 of the 131st G.A.

Date: January 14, 2016

Status: As Introduced

Sponsor: Sens. Beagle and Lehner

Local Impact Statement Procedure Required: No

Contents: Requires certain residential rental properties to contain an exterior means of egress from any living space that is above the second floor

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- The bill may increase costs for local fire inspection units and building departments to enforce the requirement that certain residential rental properties contain an exterior means of egress for floors above the second floor. However, local jurisdictions would likely assess a permit and/or inspection fee to at least partially offset costs incurred.
- County and municipal adjudication costs may increase if a person violates the bill's requirements, particularly in localities with a large number of single-family residences that have been converted into multi-family rental units. Any increase in adjudication costs, however, would at least be partially offset by court cost and fine revenue collected.

Detailed Fiscal Analysis

Overview

The bill requires that every existing residential rental property have an exterior means of egress from any living space that is above the second floor. This requirement applies to buildings that were originally designed as single-family dwellings, but are leased or otherwise rented to tenants as multi-family dwellings. The requirement does not apply to hotels, college or university dormitories, or buildings that contain a fire suppression system. The method of egress must be a ladder or staircase that descends from a functional window to a height of no more than five feet above the ground. Lastly, the bill requires that the State Fire Code, Residential Building Code, and Nonresidential Building Code include this requirement.

Local inspection costs

Overall, the bill may increase costs for local fire safety inspection units as a result of the requirement in the State Fire Code. Currently, local fire safety inspection units will review and approve plans for renovations and new construction related to fire suppression systems and fire alarm systems. Presumably, they would review plans or conduct an inspection to ensure that the property fulfills the bill's requirement. Additionally, some local fire safety inspection units will accommodate requests for fire inspections. For example, the city of Columbus Division of Fire accommodates requests for fire inspections of daycare centers, group homes, foster care homes, businesses requiring a fire inspection for state accreditation, and so forth. These requests require completing an inspection form and payment to obtain an inspection.

The bill may also increase costs for building departments that enforce the Residential Building Code or a local code. The local building department would likely incur a cost to review plans and conduct an inspection. However, both local fire safety inspection units and building departments would likely assess a permit or inspection fee that would at least partially offset any increased costs. LSC does not currently have estimates on the number of residential properties that would be required to have an exterior means of egress. This makes it difficult to estimate the number of inspections local fire safety inspection units and building departments would need to conduct to ensure these types of buildings have an exterior means of egress.

Penalty provisions

Lastly, a person found violating the bill's requirements is guilty of a minor misdemeanor and is subject to a fine of up to \$150 and community service. Additionally, any person who violates the State Fire Code may receive a civil penalty of up to \$1,000. The Fire Safety Law also prohibits a person from knowingly violating the State Fire Code. Such a violation is a first degree misdemeanor, which includes a fine of

up to \$1,000 and a jail term of up to 180 days. This may increase adjudication costs for counties and municipalities, especially in localities with high concentrations of rental housing stock that have been converted from single-family residences into multi-family units. However, these costs would at least be partially offset from fine revenue.

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