



Ohio Administrative Code

Rule 4101:10-3-01 Manufacturer's participation.

Effective: April 1, 2025

(A) Manufacturer's participation in the industrialized unit program. Every manufacturer participating in Ohio's industrialized unit program are to comply with paragraphs (A)(1) through (A)(4) of this rule prior to making application for authorization of an industrialized unit.

(1) Registration information. The manufacturer is to register with the board of building standards. For the purpose of registration, the manufacturer is to provide the following information at a minimum:

(a) Manufacturer's name, and

(b) Address of the manufacturing plant where the unit is constructed, and

(c) Contact name, phone number and email, and

(d) Identification of the third-party inspection entity recognized by the board of building standards that will perform in-plant inspections in accordance with paragraphs (A)(5) to (A)(7) and (C) to (C)(3) of this rule, and

(e) A statement of acknowledgement from the third-party inspection entity indicating that they have a contractual relationship with the manufacturer to perform the inspections. The statement shall include the name(s) and board certification(s) of the individual(s) who will be assigned to perform the inspections.

(2) Manufacturing plants in Ohio. A manufacturer with a manufacturing plant in Ohio may request the board of building standards to designate a third-party inspection entity of the state for the purpose of performing required third-party inspections. The board may designate either the certified personnel of the local building department certified to enforce the rules of the board for the jurisdiction in which the manufacturing plant is located or the superintendent of the division of



industrial compliance. The manufacturer is responsible for payment of any fees charged by a local certified building department or the division of industrial compliance in connection with review and inspection of an industrial unit pursuant to rule 4101:10-8-01 of the Administrative Code.

(3) Changes in registration information. Whenever changes occur to company name, ownership, subsidiary status, address or change in the manufacturer's management personnel who are responsible for making policy concerning quality control, the manufacturer is to notify the board immediately in writing. The manufacturing plant(s) affected by the change will be subject to a plant evaluation inspection.

(4) Accessing industrialized unit program functions. The board of building standards utilizes an electronic portal to conduct the official business of the industrialized unit program. No paper submissions or payments will be accepted. After registration is complete, the board will provide the manufacturer with access to the board of building standards' industrialized unit portal. The manufacturer and the board of building standards will use the portal for interactions including but not limited to:

(a) Making application for board of building standards' industrialized unit authorization including submission of construction documents and any substantive revisions or amendments.

(b) Access to correction letter containing items of non-compliance and adjudication orders issued.

(c) Response to correction letter including resubmission of revised construction documents or intent to appeal.

(d) Access to authorized construction documents for download.

(e) Payment of fees.

(f) Request for insignia(s).

(g) Upload of shipping log(s).



(h) Other forms of communication are available and may be used for general information sharing.

(5) Manufacturing plant evaluation. Before a manufacturer can begin construction of industrialized units authorized by the board of building standards, an initial manufacturing plant evaluation inspection is to be conducted by the third-party inspection entity identified in the manufacturer's registration with the board. An evaluation is to occur for each plant in which an industrialized unit with authorization from the board of building standards is being assembled and the evaluation is to assess the following:

(a) Compliance with chapter 5 of the "1205 Standard for Off-site construction: Inspection and Regulatory Compliance, 2021 edition" as published by the International Code Council/Modular Building Institute. The manufacturer has a compliance assurance program in place to address quality control and where required participation in quality assurance to maintain acceptable control of materials and processes used in the manufacture of industrialized units to ensure conformance with the approved construction documents.

(b) The manufacturer's facility has necessary, adequate and appropriate spaces for production, storage, packaging, shipping, employees, etc. that are equipped (machinery, movers, platforms, cranes, tools, etc.) and supported with building services (utilities) of a reasonable manner for the manufacture of the authorized industrialized unit.

(c) The plant evaluation inspection is to include all subassembly plants supplying the manufacturer, as the board may deem necessary.

(d) The necessary facilities and personnel to perform in plant testing as required by the applicable code provision or as may be required by the board of building standards as evidence of compliance. Test methods are to be as specified in the applicable building code or by other recognized test standards. In the absence of recognized and accepted test methods, the testing procedures used are to be approved by the board of building standards. Tests are to be performed by a conformity assessment body recognized by the board in accordance with paragraph (B)(4) of rule 4101:10-1-01 and section 114 of rule 4101:1-1-01 of the Administrative Code. Reports of all required in plant testing is to be retained by the manufacturer. Reports of those tests required by the board of building standards are to be submitted to and will be retained by the board for the period required for



retention of public records.

(e) Record and maintain a list of the industrialized unit authorizations for which the plant evaluation is applicable.

(f) The third-party inspection entity is to provide a summary of the initial plant evaluation to the board of building standards indicating the manufacturer's compliance with paragraphs (B)(5) to (B)(5)(e) of this rule of the Administrative Code.

(6) Frequency of evaluation. In addition to the initial manufacturing plant evaluation, a manufacturer is to notify the third-party inspection entity that a review of the manufacturing plant evaluation is needed anytime one or more of the following occurs:

(a) The manufacturer has received a new authorization. The review of plant evaluation applies only to the manufacturing plant at which the unit is to be assembled.

(b) The industrialized unit is assembled at a different plant location. The review of plant evaluation applies only to the manufacturing plant at which the unit is to be assembled.

(c) The manufacturing plant has not produced an industrialized unit authorized by the board of building standards in the preceding five (5) years.

(d) The manufacturer has made substantive change in their compliance with chapter 5 of the "1205 Standard for Off-site construction: Inspection and Regulatory Compliance, 2021 edition" as published by the International Code Council/Modular Building Institute.

(e) The manufacturer has made an alteration or addition to the manufacturing plant such that the previous plant evaluation is incomplete, irrelevant or otherwise inaccurate.

(f) A current manufacturing plant evaluation is the combination of the initial manufacturing plant evaluation and any amendments, revisions or replacement resulting from compliance with paragraphs (D)(6)(a) to (D)(6)(e) of this rule.



(7) Evaluation records. The manufacturer is to maintain a current manufacturing plant evaluation for each industrialized unit authorization.

(a) Where multiple industrialized unit authorizations are assembled at the same manufacturing plant and the manufacturing plant evaluation is sufficient for all industrialized units, the manufacturer need maintain only one current manufacturing plant evaluation.

(b) The current plant evaluation is to include a list of all the authorizations for which the plant evaluation is applicable.

(c) The third-party inspection entity is to retain a historical record of the manufacturing plant evaluation for the immediately preceding five (5) years.

(d) Manufacturing plant evaluations are to be made available to the board of building standards upon request.

(8) Suspension of participation. Where a manufacturer demonstrates a pattern of violating the rules of the board, the board of building standards may suspend the manufacturer's participation in the program which includes but is not limited to refusing to accept applications for authorization, processing requests for insignias and revoking existing authorizations in accordance with paragraph (B)(4) of this rule. Notice of a suspension of participation will be provided in writing to the manufacturer and will include the extent of the suspension and the conditions under which participation may be restored.

(B) Authorization required. Any manufacturer who intends to manufacture, produce or assemble an industrialized unit must first make application for authorization to the board of building standards. The application for authorization, including revisions and renewals for existing authorizations, are to be submitted to the board of building standards together with required construction documents in accordance with this paragraph and the fee required in rule 4101:10-8-01 of the Administrative Code. Only the person holding an authorization may apply to the board for a revision or renewal of the approval.

(1) Board's authorization. The board, upon determination of compliance in accordance with



paragraph (D)(2) of rule 4101:10-4-01 of the Administrative Code, shall issue an authorization to the applicant.

(a) Industrialized units authorized by the board may be used anywhere in Ohio subject to the conditions for their use and application as indicated in the approval.

(b) The manufacturer may assemble, produce or manufacture duplications, including any variations identified in the approved construction documents, of the industrialized unit with a valid authorization.

(c) The authorization does not include approval for use associated with the following activities, locations or equipment unless specifically noted in the design criteria:

(i) Used to accommodate the manufacture, sales or storage of fireworks, or

(ii) Placement in a flood hazard area, or

(iii) Used in a facility that requires approval from the Ohio Department of Rehabilitation and Correction, or

(iv) Requires approval from the elevator section, division of industrial compliance, or

(v) Requires approval from the boiler section, division of industrial compliance.

(2) Conditions of authorization. In addition to any design criteria established by the manufacturer for an industrialized unit, the board of building standards may also establish other conditions or limitations of the board of building standards' authorization to coordinate with the site of intended use. Such conditions or limitations may include, but are not limited to:

(a) Panel, module or equipment unit;

(b) Enclosed or unenclosed;



(c) Conditioned or unconditioned;

(d) Accessible or non-accessible; or

(e) Any other unique stipulations as needed.

(3) Revisions to authorization. Prior to or during fabrication but before transport, any changes to board approved construction documents affecting the conditions illustrated or described in the authorization are required to be submitted for review and determination of compliance with the rules of the board as either an amendment of the existing authorization or as an application for a new authorization.

(4) Revocation of authorization. Upon failure of the holder of an authorization to comply with the conditions of the authorization and the "IU Rules," the board, on its own motion, may order a hearing in accordance with section 119.03 of the Revised Code to revoke an existing authorization.

(5) Expiration of authorization. An authorization is valid for up to one year after the effective date of rules of board adopting a subsequent model-code based edition of the applicable building code.

(a) Exception: An industrialized unit where manufacture started under a valid authorization issued by the board and was not transported to a building site of intended use but stored at a manufacturer's or dealer's facility, can be installed in Ohio as an industrialized unit for a maximum of two years after the effect on the date of the subsequent model-code based edition of the applicable building code. After this two-year time period, the unit's insignia has expired and is to be regulated as a moved or relocated existing structure in accordance with the applicable building code provisions.

(b) Renewal of expired authorization. The holder of an expired authorization may renew the authorization by making application for a new authorization and submitting construction documents which include a cover letter requesting a renewal of the expired authorization, with revisions as needed and clearly identified, that are in compliance with the rules of the board that are in effect on the date of the application for industrialized unit authorization.

(6) Applicable rules to be enforced. Except as otherwise provided by these rules, the board of



building standards exercises authorization authority to accept, review and approve construction documents and audit inspections, related to the manufacture of industrialized units, using the rules of the board that are in effect on the date of the application for an industrialized unit authorization.

(7) Alteration of an authorized industrialized unit after transport. The alteration of an industrialized unit at the site of intended use is permitted provided the building owner makes application to the building department with jurisdiction and receives approval for the alterations from the certified building official or other individual with the authority to enforce the rules of the board in the jurisdiction.

(C) Inspection required. After issuance of an authorization by the Board and construction commences, the manufacturer shall have the unit(s) inspected by a third-party inspection entity to confirm that construction of the units is consistent with the approved construction documents in accordance with this section.

(1) Initial inspections. The manufacturer is required to notify the third-party inspection entity identified in the manufacturer's registration with the board that the initial industrialized unit constructed in accordance with an authorization is ready for required inspections listed in rule 4101:10-4-01 and are to provide ready access to all the module(s) or panel(s) of the industrialized unit for inspection. Where the inspection of the first three industrialized units has demonstrated that the manufacturer's quality control program is capable of assuring that the industrialized units produced are built in accordance with the construction documents approved by the board, the manufacturer may proceed in accordance with paragraph (2) of this section for inspections of subsequent industrialized units of similar use, size and method of construction as determined by the board for which an authorization has been issued by the board of building standards. When in the course of inspections of the initial industrialized unit, the third-party inspection entity identifies items of non-conformance with the approved construction documents, the items are to be corrected and the next unit(s) are to be inspected in accordance with this section until no further items of non-conformance have been identified in subsequent units. Records of initial inspections, including items of non-conformance and corrective action, are to be maintained by the third-party inspection entity and provided to the board upon request.

(2) Subsequent reduced inspections. Where the initial inspections of industrialized units have



demonstrated that the manufacturer's compliance assurance program is capable of assuring that the industrialized units produced are built in accordance with the construction documents approved by the board and no further items of non-conformance have been identified by the inspector in accordance with paragraph (1) of this section, then the manufacturer may choose to self-perform required inspections of each module or panel of subsequent industrialized units. Such inspections are to be performed by an employee of the manufacturer who is certified by the board of building standards in accordance with rule 4101:10-9-01 of the Administrative Code to inspect the scope of construction under the authorization. Records of such inspections, including items of non-conformance and corrective action, are to be maintained by the manufacturer and provided to the board upon request. For manufacturers that produce five or more units of any authorized industrialized units, the third-party inspection entity is to visit the manufacturing plant, at random times at least four times per year, and conduct inspections of units intended for Ohio, audit the manufacturer's plant evaluation and compliance assurance program and review the record of inspections.

(a) Exception: Where the manufacturer does not self-perform required inspections, the third-party inspection entity is to perform at least one on-site inspection of "open" construction of each subsequent industrialized unit. The inspection is to include but is not limited to the rough framing and the rough building services inspections. Inspection of individual modules or panels of the same industrialized unit inspected at different phases of completion is acceptable provided at least one module or panel allows for rough framing inspection and one allows for rough building services inspection. Records of inspections completed under this exception, including items of non-conformance and corrective action, are to be maintained by the third-party inspection entity and provided to the board upon request.

(3) Increased inspections. Notwithstanding the above, upon notification by a third-party inspection entity to the board and the manufacturer that the compliance assurance program of a manufacturer does not sufficiently ensure compliance with the approved construction documents, or on the Board's own motion, increased inspection frequency may be ordered by the Board so that each assembly or component will be inspected by the third-party inspection entity. These inspections are to continue until an inspection demonstrates that the manufacturer's control of the materials and processes used is sufficient to ensure that the units are constructed in accordance with the approved construction documents. Records of such inspections, including items of non-conformance and corrective action,



are to be maintained by the third-party inspection entity and provided to the Board upon request.

(4) Remote inspections. All inspections are to be in-plant except that a third-party inspection entity may provide remote virtual inspection when the third-party inspection entity has an established program for conducting remote inspections where directed by the inspector, recorded and conducted in real time.

(D) Insignia required. Each modular unit or panelized unit or equipment unit of an authorized industrialized unit must have an insignia applied.

(1) Insignia acquisition. An insignia is to be obtained from the board for each industrialized unit module or panel to be used within the state of Ohio.

(2) Insignia placement. The insignia is to be affixed to each unit, in the location identified in the authorized construction documents, after a determination is made by the third-party inspection entity that the unit is constructed in accordance with the construction documents authorized by the board.

(a) For industrialized units inspected per paragraph (C)(1) of this rule, the insignia cannot be applied until after the final inspection is completed by the 3rd party and is satisfactory.

(b) For industrialized units inspected per paragraph (C)(2) of this rule, the manufacturer is extended the authority to apply the insignia to the self-inspected units provided the 3rd party audit of inspections and process is kept in good standing and increased inspections are not required.

(c) For industrialized units inspected per paragraph (C)(3) of this rule, the Board has the authority and discretion to direct who is to apply insignias, under what conditions, for how long and the conditions under which the manufacturer can earn the right to apply insignias.

(3) Insignia signifies. An insignia, applied to the unit, constitutes final approval of the unit as compliant with the requirements of the applicable building code.

(4) Insignia expiration. An insignia expires at either of the following events:



(a) After the building owner receives a certificate of occupancy for the building in which the industrialized unit with this specific insignia is installed.

(b) After two years from the effective date of the subsequent model-based building code.

(5) Assemblies without insignia. Modules, panels or equipment units constructed without an authorization or arriving at the site of intended use without an insignia from the board of building standards are not industrialized units.

(E) Adjudication orders required. When the board of building standards denies any authorization or takes action in response to findings of non-compliance with the rules of the board, such action is to be initiated by issuing an adjudication order, prior to seeking any remedy, civil or criminal.

(1) Response to orders. The person receiving an order shall exercise their right to appeal within thirty (30) days of the issuance of the order, comply with the order, or otherwise be released from the order by the board of building standards.

(2) Time limitation of application. If construction documents have been reviewed for compliance with the rules of the board, an adjudication order has been issued to the manufacturer, and the manufacturer has neither exercised the right to appeal pursuant to paragraph (F) of this rule nor resubmitted corrected documents, the application for authorization is invalid six months from the date of the issuance of the adjudication order. Any fees accrued for plan review are the responsibility of the manufacturer and are due upon receipt of notice of expired application.

(F) Appeals Adjudication hearings shall be in accordance with sections 119.09 to 119.13 of the Revised Code. Requests for hearing is to be within thirty (30) days of the issuance date of an adjudication order. Unless otherwise provided in the order, the Ohio board of building appeals conducts adjudication hearings on orders issued pursuant to these rules.