



Ohio Administrative Code

Rule 5101:2-12-04 Building department, fire inspection and food service licensure for a licensed child care center.

Effective: December 31, 2016

(A) What are the requirements for building inspections and approval?

(1) A certificate of occupancy for the purpose of operating a child care center is required in accordance with Chapters 3781. and 3791. of the Revised Code and shall be obtained from either the Ohio department of commerce or local certified building authority.

(2) The center shall comply with any stipulations or limitations noted on the certificate of occupancy.

(3) A certificate of occupancy is required in the following circumstances:

(a) At the time of application for a child care center license.

(b) At the time a child care center requests a license amendment for a change of location.

(c) Prior to the use of any areas of the structure not previously inspected and approved for child care use.

(d) At the time of major repair, modification or alteration of any existing structure presently being used for child care but prior to the continued use of modified or altered parts of the structure. Major repair, modification or alteration includes:

(i) Cutting away of any wall, partition or portion thereof, the removal of or cutting of any structural beam or bearing support or the removal or change of any required means of escape, or rearrangement of parts of the structure affecting the exit requirements.

(ii) Addition to, alteration of, replacement or relocation of any gas, oil, water, soil, waste or vent piping, electrical wiring or heating, ventilating or air-conditioning equipment.



(iii) Any modification requiring a new certificate of occupancy as required by the Ohio department of commerce or local certified building authority.

(4) A new or revised certificate of occupancy is not required for the following:

(a) A change in ownership with no change of use.

(b) Child care is provided exclusively for school children in an existing public school or chartered nonpublic school building as described in section 5104.02 of the Revised Code.

(B) What are the requirements for a fire inspection and approval?

(1) Licensed child care centers shall secure a fire inspection and written approval from the state fire marshal or the local fire safety inspector for the municipality or township having jurisdiction. The child care center shall abide by any stipulations or limitations set forth in the written documentation by the state fire marshal or local fire safety inspector.

(2) A fire inspection and approval need to be obtained at the following times:

(a) At the time of initial application for a child care center license.

(b) At the time of a child care center license amendment when requesting a change of location.

(c) At least once annually within each twelve months from the date of the last fire approval report.

(d) Prior to the use of any areas of the structure not previously inspected and approved for child care use.

(3) If child care is provided exclusively for school children in an existing public school or chartered nonpublic school building as described in section 5104.02 of the Revised Code, a fire inspection for the child care center is not required.

(C) What are the requirements for a food service license or exemption?



(1) A valid food service operation license shall be obtained permitting the preparation and serving of food, or exemption status, from the local health department having jurisdiction or from the Ohio department of health.

(2) Meals or snacks may be provided by a licensed catering food service operation. The center shall maintain on file a copy of the catering food service operation's current license. If the caterer only provides the food and it is the responsibility of the center to serve the food, the center shall follow the requirements of the local health department having jurisdiction.