



Ohio Revised Code

Section 3737.83 Provisions to be included in state fire code.

Effective: September 30, 2025

Legislation: House Bill 96

The state fire marshal shall, as part of the state fire code, adopt rules to:

(A) Establish minimum standards of performance for fire protection equipment and fire fighting equipment;

(B) Establish minimum standards of training, fix minimum qualifications, and require certificates for all persons who engage in the business for profit of installing, testing, repairing, or maintaining fire protection equipment;

(C) Provide for the issuance of certificates required under division (B) of this section and establish the fees to be charged for such certificates. A certificate shall be granted, renewed, or revoked according to rules the state fire marshal shall adopt, except that the state fire marshal shall grant a certificate in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license or certificate in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a person engaged in the business of installing, testing, repairing, or maintaining fire protection equipment in a state that does not issue that certificate.

(D) Establish minimum standards of flammability for consumer goods in any case where the federal government or any department or agency thereof has established, or may from time to time establish standards of flammability for consumer goods. The standards established by the state fire marshal shall be identical to the minimum federal standards.

In any case where the federal government or any department or agency thereof, establishes standards of flammability for consumer goods subsequent to the adoption of a flammability standard by the



state fire marshal, standards previously adopted by the state fire marshal shall not continue in effect to the extent such standards are not identical to the minimum federal standards.

With respect to the adoption of minimum standards of flammability, this division shall supersede any authority granted a political subdivision by any other section of the Revised Code.

(E) Establish minimum standards pursuant to section 5104.05 of the Revised Code for fire prevention and fire safety in child care centers and in type A family child care homes, as defined in section 5104.01 of the Revised Code.

(F) Establish minimum standards for fire prevention and safety in a residential facility licensed under section 5119.34 of the Revised Code that provides accommodations, supervision, and personal care services for three to sixteen unrelated adults. The state fire marshal shall adopt the rules under this division in consultation with the director of mental health and addiction services and interested parties designated by the director of mental health and addiction services.

(G)(1) Establish that, for buildings and structures incident to the agricultural purposes of the land and determined to be exempt from the rules of the board of building standards pursuant to division (B)(1) of section 3781.06 or section 3781.061 of the Revised Code, the occupant load of a covered patio and its area are not to be included in the fire area calculation of the building for the determination of sprinkler thresholds, if all the following apply:

(a) The building or structure would be classified as an assembly occupancy.

(b) The covered patio is either:

(i) Completely open to the atmosphere without enclosing walls on at least three sides all year with accessible means of egress on each open side;

(ii) Completely open to the atmosphere without enclosing walls on two sides all year with accessible means of egress on each open side, but only if no point in the covered patio area is more than twenty feet from an accessible means of egress and not more than fifty per cent of the perimeter of the covered patio area is enclosed by walls.



(c) The occupant load of the covered patio does not exceed one hundred occupants.

(d) The floor area of the covered patio is at the level of exit discharge.

(e) If the patio is constructed on or after the effective date of this amendment, the horizontal assembly or roof and columns are constructed of materials that are non-combustible, limited-combustible, or fire-retardant treated wood.

(2) If a building or zoning official makes a determination pursuant to division (B)(1) of section 3781.06 or section 3781.061 of the Revised Code that results in a building or structure being exempt from the rules of the board of building standards, such official shall provide a written notification to the affected party that the state fire code applies to the exempt location, including as specified in this section.

(3) Nothing in division (G) of this section shall be construed to limit or restrict the scope of application of the state fire code, except as expressly provided in division (G)(1) of this section, including the distinct hazard or serious hazard standards specified in the state fire code.

(4) Notwithstanding any provision of section 121.95 of the Revised Code to the contrary, a regulatory restriction contained in a rule adopted under division (G)(1) of this section is not subject to sections 121.95 to 121.953 of the Revised Code.