

**Rule Summary and Fiscal Analysis (Part A)****Department of Commerce**

Agency Name

**Division of State Fire Marshal**

Division

**Ryan Augsburger**

Contact

**77 South High St. 23rd Floor Columbus OH  
43266-544**

Agency Mailing Address (Plus Zip)

**614-644-8341**

Phone

**614-644-8292**

Fax

**1301:7-7-04**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**Open flames or burning.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **3737.82, 3737.86**

5. Statute(s) the rule, as filed, amplifies or implements: **N/A**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

To rescind rule to update the Ohio Fire Code by the adoption of Chapter 3 of the International Fire Code. Topic to be relocated in new rule 1301:7-7-03.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Prescribes rules for the control of open flames, fire and burning on all premises.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

Not applicable.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

Not applicable.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

The documents listed in this rule that are incorporated by reference and listed in rule 1301:7-7-44 of the Administrative Code cannot be filed as a part of this rule rescission process because all of these documents are copyrighted by their respective authors. For financial and legal reasons, the fire marshal does not have permission to electronically reproduce these documents in a manner that would comply with this filing requirement.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: **11/23/2004**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

**FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0

Not applicable.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not applicable.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**