

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

Agency Name

Division of State Fire Marshal

Division

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1301:7-7-05

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Fire service features.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

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: **3737.22, 3737.82**

5. Statute(s) the rule, as filed, amplifies or implements: **3737.22, 3737.82**

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

The State Fire Marshal proposes to adopt Chapter 5 of the 2009 International Fire Code as amended, to revise and update the administrative rules comprising the Ohio Fire Code. Also, this rule is being proposed to comply with five year rule review requirements.

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:

This section of the Ohio Fire Code prescribes rules for fire service features for buildings, structures, and premises. For additional information on rule amendments, please see Exhibit "A", attached to this RSFA.

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:

Materials incorporated by reference in this rule are listed in O.A.C. 1301:7-7-47 and are generally available to affected persons (including members of the fire service, persons responsible for life safety in public occupancies, and design professionals) in the following manner:

1. All text or materials are published by either other governmental agencies, private organizations or industry associations. All of these publications may be obtained by the publishing companies that distribute this material nationally or by any person, without any restriction, from the organization that promulgated the material or text. Some of these reference materials are free and some may be purchased for a reasonable fee. O.A.C. 1301:7-7-47 lists the incorporated material and contact information for each of the organizations that publish the listed incorporated material.

2. Most of the incorporated material is also available at Ohio public libraries, the Division of State Fire Marshal, the Board of Building Standards, or at local government offices, including fire departments.

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:

Not Applicable.

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:

(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

This rule will have no fiscal impact.

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:

The 2011 Ohio Fire Code will be available on the State Fire Marshal website with free access. Thus, purchase of a hard copy of the new code is optional and not required.

Section 510 of the OFC establishes requirements for emergency responder radio coverage to be consistent with the International Fire Code (IFC) and a requirement in the Ohio Building Code. Per the International Code Council (ICC), public safety radio systems are converting from analog signaling systems to digital systems. The

focus of these new OFC sections is on the portable radios used by emergency responders inside buildings. "Building construction features and materials can absorb or block the radio frequency energy used to carry signals inside or outside the building." Significant Changes to the IFC, 2009 Edition. Such blockage can result in messages between emergency responders being dropped, placing responders in greater danger.

Section 510 requires that that all buildings (new construction) have approved radio coverage for emergency responders. The requirements apply to both analog and digital. Approved radio coverage is based on the ability of the public safety communication system to transmit a signal inside and outside the building. In lieu of an approved radio system, the fire code official may allow the installation of a wired communication system or no system at all if the fire code official determines it is not needed, for example, some buildings with an area of less than 50,000 square feet.

With respect to existing buildings, the requirements of OFC 510 only apply when the existing wired communication system cannot be repaired or is being replaced, or where a wired communication system is not approved. If this happens, the installation in the building of a radio amplification system is permitted. Finally, if an existing building does not have approved radio coverage, the State Fire Marshal may establish a time frame for compliance with either a wired communication system or a building radio amplification system.

A typical in-building radio amplification system generally costs \$.40 to \$.60 per square foot. Amplification systems designed to support cell phones or mobile devices, wireless data transfer systems, and the like, as part of the signal booster system can cost \$1.00 to \$1.50 per square foot. Significant Changes to the IFC, 2009 Edition. For new construction, the cost of compliance is, generally, a small portion of the overall construction costs. Actual work at a given facility will depend upon a number of variable factors, including the size of the building, labor costs, site-specific needs, and operational needs of the communication system.

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**

**Department of Commerce,
Division of State Fire Marshal**

**Ohio Fire Code
RSFA Supplement
Rule 1301:7-7-05**

EXHIBIT A

Rule 5 This rule contains new sections which have been moved or restructured. Other new language was added to clarify existing requirements and/or to be consistent with the 2009 International Fire Code or Ohio Building Code. Finally, the following amended sections are noteworthy or contain a new requirement but have no or de minimis fiscal impact/cost of compliance:

507 This section, hazards to fire fighters, was moved to O.A.C. 1301:7-7-03.

509.2 Language was added to be consistent with the IFC. New language was added to require that access to equipment be maintained. This addition has no fiscal impact or cost of compliance.