



# Ohio Department of Commerce

## Division of State Fire Marshal

Code Enforcement Bureau  
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**Bob Taft**  
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Director

### Public Notice of Proposed Changes to the Ohio Fire Code and State Fire Marshal Rules

The State Fire Marshal is considering revision of the portions of the Ohio Administrative Code (OAC) known as the Ohio Fire Code (OFC) and other State Fire Marshal (SFM) administrative rules. In accordance with this intent and pursuant to Sections 119.03 and 119.032 and Chapters 3731., 3737. and 3743. of the Ohio Revised Code (R.C.), the State Fire Marshal's Office will conduct a public hearing at **10:00 a.m. on October 17, 2006 at The Department of Commerce, Division of State Fire Marshal – Code Enforcement Bureau, 6606 Tussing Road – Training Room #3, Reynoldsburg, Ohio 43068**. The purpose of the hearing is to receive public comment on the following proposed new and amended rules of the Ohio Administrative Code (OAC) and the proposed rescission of the following current rules of the OAC:

**RULES TO BE AMENDED:** OAC rules 1301:7-7-01, 1301:7-7-02, 1301:7-7-03, 1301:7-7-04, 1301:7-7-05, 1301:7-7-06, 1301:7-7-07, 1301:7-7-09, 1301:7-7-10, 1301:7-7-11, 1301:7-7-12, 1301:7-7-13, 1301:7-7-14, 1301:7-7-16, 1301:7-7-17, 1301:7-7-18, 1301:7-7-22, 1301:7-7-23, 1301:7-7-24, 1301:7-7-25, 1301:7-7-26, 1301:7-7-27, 1301:7-7-28, 1301:7-7-29, 1301:7-7-30, 1301:7-7-32, 1301:7-7-33, 1301:7-7-34, 1301:7-7-35, 1301:7-7-36, 1301:7-7-37, 1301:7-7-38, 1301:7-7-39, 1301:7-7-40, 1301:7-7-41, 1301:7-7-43, 1301:7-7-44, 1301:7-7-45 are being proposed as amended rules of the OAC. The SFM proposes these amended rules to update the OFC through the adoption of the 2006 *International Fire Code* with Ohio amendments; to provide updated Fire Marshal rules for administrative licensing and operations; and to implement various provisions of R.C. Chapters 3731 (hotel laws), 3737 (fire code enforcement rules, the Ohio Fire Code and other Fire Marshal rules), and 3743 (fireworks laws) and recent legislation, including revisions to the fire and tornado drill provisions of R.C. Section 3737.73 enacted in of HB 422 of the 126<sup>th</sup> General Assembly. As further described in R.C. 3737.82, the subject matter of the OFC shall be the minimum standards for safeguarding life and property from fire and explosion in Ohio. The fire marshal may, in adopting the OFC, incorporate by reference existing published standards as well as amendments thereto subsequently published by the same authority. The OFC shall include, but not be limited to, rules relating to the movable contents of any building, or class of buildings, the transportation, storage, location, and use of flammable or explosive materials, the procedures to be employed by persons in the event of fire, the installation and location of fire protection equipment, and other similar matters. The OFC may contain rules applicable to particular classes of existing buildings or structures as the use and occupancy of such buildings or structures suggest are necessary. As further described in R.C. Sections 3743.04, 3743.05, 3743.17, 3743.18, 3743.53 and 3743.58, the SFM shall also adopt rules governing: the licensure and operation of fireworks manufacturers and wholesalers; the boundaries and location of, construction at and use of a licensed fireworks premises; and the classification, shipment, transportation, manufacturing, processing, packaging, distribution, storage, sale, display, testing and exhibition of fireworks. The SFM proposes to amend OFC rule 1301:7-7-33 to regulate the off site storage of consumer fireworks, decrease the separation distances between structures on a licensed fireworks premises and make other technical rule changes. These amendments are being promulgated due to changes to R.C. Chapter 3743 enacted in House Bill 66 of the 126<sup>th</sup> General Assembly (effective September 29, 2005) .

**RULES TO BE ADOPTED:** OAC rules 1301:7-7-08, 1301:7-7-15 are proposed to be adopted rules of the OAC. All of the rules to be adopted have the same general scope, intent and purpose as those rules listed above under the “RULES TO BE AMENDED” portion of this notice.

**RULES TO BE RESCINDED:** OAC rules 1301:7-7-08, 1301:7-7-15 are proposed to be rescinded as rules of the OAC. All of the rules to be rescinded have the same general scope, intent and purpose as those rules listed above under the “RULES TO BE AMENDED” portion of this notice. These rules are proposed for rescission so that the above listed rules under the “RULES TO BE ADOPTED” portion of this notice can be properly adopted for use in Ohio.

The full text of the proposed rules has been filed in electronic format with the Secretary of State, the Legislative Service Commission, the Joint Committee on Agency Rule Review, the Department of Aging, the Office of Small Business, the State Fire Commission, the Department of Health and the Emergency Response Commission as required by Sections 119.03, 121.24, 3737.86, 3737.83 and 3750.12, of the Revised Code. The full text of the proposed rules is available at the following web site: [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us). Information concerning the hearing and the rules is available prior to the hearing from <http://www.com.state.oh.us/sfm/fmce/> or the Division of State Fire Marshal -Code Enforcement Bureau, 6606 Tussing Road, Reynoldsburg, Ohio 43068.