

**Department
of Commerce**

Division of Industrial Compliance

John R. Kasich, Governor
David Goodman, Director**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Ohio Board of Building Standards will convene for a public hearing at 10:00 A.M., Friday, December 14, 2012, in Hearing Room #1, at 6606 Tussing Road, Reynoldsburg, Ohio, 43068. The purpose of the hearing is to solicit testimony on proposed actions taken on select rules of the Administrative Code, identified as Amendments Group LXXXVII (87), pursuant to Chapters 119., 3781., 3791., and 4104. of the Revised Code.

Synopsis of the proposed rule changes:

PART A – OHIO BUILDING CODE RULES

Consider the following amended rules of the Administrative Code: **4101:1-1-01** to make corrections and delete provisions related to the certification of building departments, department personnel, boards of building appeals, and fire protection designers which are proposed to be relocated to 4101:7; **4101:1-4-01** to correct references within the chapter to the appropriate accessibility standards and to amend provisions related to health care facilities in coordination with the Ohio Department of Aging and the Ohio Department of Health to safely enhance the quality of life for elders; **4101:1-9-01** to correct several references within the chapter to the appropriate fire code and accessibility standards and to clarify a reference to manually activated smoke exhaust systems; **4101:1-10-01** to amend provisions related to health care facilities in coordination with the Ohio Department of Aging and the Ohio Department of Health to safely enhance the quality of life for elders and to readopt language included in Petition 11-01 previously adopted by the board related to F-1 and S-1 exit access travel distances; **4101:1-11-01** to further update provisions of the chapter consistent with the federal accessibility guidelines; **4101:1-30-01** to correct several references within the chapter to the appropriate accessibility standards; **4101:1-31-01** (rescind and adopt new) to clarify language relating to tent approvals, swimming pool gates, manufactured homes, and adds language for refuse containers previously found in 4101:4-88; and **4101:1-35-01** to edit Table 3501.2 to remove the references to the 2007 OPC and the NFPA 70-2008 for residential buildings, to add CPSC standard 16 CFR 1301, to delete the reference to the ICC-IFC, and to edit the title of NFPA standard 72..

PART B – OHIO MECHANICAL CODE RULES

Consider the following amended rules of the Administrative Code: **4101:2-4-01** and **4101:2-5-01** to amend provisions related to health care facilities in coordination with the Ohio Department of Aging and the Ohio Department of Health to safely enhance the quality of life for elders; and **4101:2-15-01** to add standard ASHRAE 170 for ventilation of health care facilities, to edit the reference to ASME standards B16.9 and CSD-1, to update the ASME BPVC to the 2010 edition, to edit the AWWA standard C110/A21.10, and to make corrections to the titles of NFPA standards 70 and 72.

PART C – OHIO PLUMBING CODE RULE

Consider the following amended rule of the Administrative Code: **4101:3-1-13** to update the ASME BPVC to the 2010 edition.

PART D – BOILER and PRESSURE VESSEL RULES

Consider the following amended rules of the Administrative Code, proposed as a result of the five year rule review: **4101:4-1-01** to clarify the NBIC references and to delete the definition of “F”; **4101:4-2-01** to update the RCO reference; **4101:4-2-02** to clarify the NB-263 reference and to provide an optional method of taking the boiler inspector examination; **4101:4-3-01** to update the ASME BPVC to the 2010 edition and to clarify the NB-371, NB-263, NB-27 standards, and to update the NBIC standard; **4101:4-4-03** to remove the word “hour”; **4101:4-4-04** to correct the reference to NB-27; **4101:4-7-01** to correct references to the NBIC parts; and **4101:4-9-01** to correct references to the NBIC parts and to add a owner maintenance clarification. Remaining rules **4101:4-4-01**, **4101:4-4-02**, **4101:4-4-05**, **4101:4-5-01**, **4101:4-6-01**, **4101:4-8-01**, and **4101:4-10-01** are proposed to remain without change.

PART E – CERTIFICATION RULES

Consider the following new rules of the Administrative Code, created as a result of the relocation and consolidation of all building department, building department personnel, board of building appeals, and fire protection system designer certification requirements: **4101:7-1-01**, **4101:7-1-02**, **4101:7-2-01**, **4101:7-3-01**, **4101:7-4-01**, and **4101:7-5-01**.

PART F – MISCELLANEOUS RULES

Consider the rescission of the following chapters of rules of the Administrative Code, proposed as a result of the five year rule review: **4101:2-87** to move the content to new certification rules found in 4101:7; **4101:2-88** to move the content to new section 3112 of the OBC; **4101:2-89** because duplicative provisions are found within the OBC; **4101:2-90** because duplicative provisions are found within the OBC; **4101:2-92** to move the content to new section 116 of the OBC; **4101:2-93** to move the content to new certification rules found in 4101:7.

The full text of the public hearing draft containing the proposed rules can be viewed on the Board’s website at (<http://www.com.ohio.gov/dico/bbs.aspx>). Electronic copies of the public hearing draft on compact disc will be mailed upon written request to the Ohio Board of Building Standards at P.O. Box 4009, 6606 Tussing Rd., Reynoldsburg, Ohio 43068.

The full text of the proposed rules were filed electronically with the Legislative Service Commission, the Joint Committee on Agency Rule Review, and the Secretary of State as required in section 119.03 of the Revised Code. Prior to electronic filing of the rules, stakeholder meetings were held and electronic notification was provided to all stakeholders. The proposed rules and a Business Impact Analysis were posted and submitted to the Common Sense Initiative Office. Additionally, the Clerks of the 88 County Commissioners were notified of the filings as required by statute.

The rule filing can be viewed on the Register of Ohio (<http://www.registerofohio.state.oh.us>).

BOARD OF BUILDING STANDARDS

Gerald O. Holland, Chairman

Regina S. Hanshaw, Executive Secretary