CSI - Ohio

The Common Sense Initiative

Business Impact Analysis

Agency Name: Ohio Board of Building Standards

Regulation/Package Title: Ohio Mechanical Code Amendments

Rule Number(s): 4101:2-2-01, 4101:2-3-01, 4101:2-5-01, 4101:2-9-01, 4101:2-13-01, 4101:2-15-01

Date: August 3, 2015

Rule Type:

- ☐ New
- X Amended
- ☐ 5-Year Review
- ☐ Rescinded

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. **Please briefly describe the draft regulation in plain language.**
   Please include the key provisions of the regulation as well as any proposed amendments.

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The Ohio Board of Building Standards (Board) proposes to amend Ohio Administrative Code (OAC) Rules as follows:

4101:2-2-01 to add definitions for above-ground storage tank, building service equipment, engine-mounted tank and fuel tank;

4101:2-3-01 to add requirement for manufacturer identification, to add requirement for listing of plastic pipe, to add requirement for approved agency testing or listing of piping, tubing, and fittings and to make general editorial corrections;

4101:2-5-01 to coordinate the supervision requirement found in the fire code, to add diesel fuel § 502.9.5, Exception 3, to add requirements for underground grease ducts, to add code references in § 507.1 which are exempt from certain requirements, to add an exception for integral down draft exhaust systems and to make general editorial corrections;

4101:2-9-01 to add design guidance and clarification for fuel tanks supplying engine-driven building service equipment, to add design guidance for gaseous fuel supply for engines supplying building service equipment, to add design guidance for engine- driven generators and to make general editorial corrections;

4101:2-13-01 to add design guidance for diesel oil storage and piping systems associated with building service equipment, to add design guidance for diesel oil storage and piping systems associated with building service equipment, to add design guidance for fuel oil and diesel oil storage for building service equipment and to make general editorial corrections;

4101:2-15-01 to update NFPA standard 31 and to add NFPA standards 30 and 96 and to update standard UL 2200 and to add UL standard 2085.

2. **Please list the Ohio statute authorizing the Agency to adopt this regulation.**

   Revised Code § 3781.10: http://codes.ohio.gov/orc/3781.10
   Revised Code § 3781.11: http://codes.ohio.gov/orc/3781.11

3. **Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?**
   If yes, please briefly explain the source and substance of the federal requirement.

   No.

4. **If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.**

   Not applicable.

5. **What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?**

Revised Code § 3781.10 directs the Board to "formulate and adopt rules governing the erection, construction, repair, alteration and maintenance of all buildings specified in section 3781.06 of the Revised Code…" Additionally, Revised Code 3781.06 provides:

> *Any building that may be used* as a place of resort, assembly, education, entertainment, lodging, dwelling, trade, manufacture, repair, storage, traffic, or occupancy *by the public*, *any residential building, and all other buildings or parts and appurtenances of those buildings erected within this state*, *shall be so constructed, erected, equipped, and maintained that they shall be safe and sanitary for their intended use and occupancy.*

This statute defines safe and sanitary as follows:

> *"Safe," with respect to a building, means it is free from danger or hazard to the life, safety, health, or welfare of persons occupying or frequenting it, or of the public and from danger of settlement, movement, disintegration, or collapse, whether such danger arises from the methods or materials of its construction or from equipment installed therein, for the purpose of lighting, heating, the transmission or utilization of electric current, or from its location or otherwise.*
>
> *"Sanitary," with respect to a building, means it is free from danger or hazard to the health of persons occupying or frequenting it or to that of the public, if such danger arises from the method or materials of its construction or from any equipment installed therein, for the purpose of lighting, heating, ventilating, or plumbing.*

The Ohio Building Code sets forth the construction standards for nonresidential buildings in the State of Ohio to ensure that they are safe and sanitary. Additionally, Revised Code § 3781.01 provides that local governments may not adopt regulations that that conflict with the Board's rules to facilitate the uniform application of the standards.

Revised Code 3781.11 lists conditions that rules of the Board must address, including:

> (1) For nonresidential buildings, provide uniform minimum standards and requirements, and for residential buildings, provide standards and requirements that are uniform throughout the state, for construction and construction materials, including construction of industrialized units, to make residential and nonresidential buildings safe and sanitary as defined in section 3781.06 of the Revised Code;

(2) Formulate such standards and requirements, so far as may be practicable, in terms of performance objectives, so as to make adequate performance for the use intended the test of acceptability;

(3) Permit, to the fullest extent feasible, the use of materials and technical methods, devices, and improvements, including the use of industrialized units which tend to reduce the cost of construction and erection without affecting minimum requirements for the health, safety, and security of the occupants or users of buildings or industrialized units and without preferential treatment of types or classes of materials or products or methods of construction;

(4) Encourage, so far as may be practicable, the standardization of construction practices, methods, equipment, material, and techniques, including methods employed to produce industrialized units;

6. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?

The enforcement of these rules will be implemented by certified township, city, and county building departments. Rule 4101:1-1-01 lays out the administrative procedures certified building departments must follow to implement the substantive requirements of these rules to determine compliance. These provisions require a builder or owner to make application to a building department to obtain an approval to build (permit). As part of this application the owner must submit sufficient information and/or construction documents for the building official/plans examiner to determine whether the proposed work complies with the code. After the builder or owner obtains the approval (permit), construction may commence and the building department inspectors will inspect the construction to ensure that the work conforms with the original approval. Rule 4101:1-1-01 § 105.2 provides that in the absence of fraud or a serious safety or sanitation hazard, any non-residential structure built in accordance with approved plans shall be conclusively presumed to comply with these rules. The Board requires that certified nonresidential building departments submit an annual yearly operational report which lists the following information: current employees and their certifications, total number of permits issued during the year for each type of occupancy, total number of inspections made, the total value of construction, and the total number of appeals of the code requested by a builder or owner during the year.

Development of the Regulation

7. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.
If applicable, please include the date and medium by which the stakeholders were initially contacted.

Continuing law in Rules 4101:2-2-01, 4101:2-5-01 and 4101:2-15-01 were previously reviewed by the Common Sense Initiative (CSI) Office. On October 31, 2012, the CSI Office issued a memorandum making no recommendation regarding Rules 4101:2-2-01, 4101:2-5-01 and 4101:2-15-01, and concluded that the Board should proceed with formal rule filing with the Joint Committee on Agency Rule Review. On June 12, 2014, the CSI Office issued a memorandum making no recommendation regarding Rule 4101:2-15-01 and concluded that the Board should proceed with formal rule filing with the Joint Committee on Agency Rule Review.

On February 24, 2015, the Board sent an email to all agency stakeholders informing them of a scheduled stakeholder meeting on March 13, 2015 to hear comments and respond to questions on these rules. The email and stakeholder distribution list are attached as Exhibit A. The notice summarized the proposed amendments and also informed stakeholders that they if they could not attend the stakeholder meeting, they could submit questions or comments via email or regular mail by March 31, 2015. On March 13, the Board conducted a stakeholder meeting on the proposed rules between 10:00 AM and 2:00 PM and the following individuals attended: Richard Nelson, Medina County, Timothy Payne, Medina County, Robert Kerst, BBA, Pete Baldauf, City of Vandalia, Mike Miller, City of Strongsville, James Richardson, City of Columbus, Greg Wajcik, Simpson Strong Tie, Shane Vilasineekul, Simpson Strong Tie, DeWayne Jenkins, City of Kettering, John Witherspoon, Vectren, and Tim Curry, IAEI & Curry Electric. The stakeholder meeting agenda and material distributed at the meeting are attached as Exhibit B.

8. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

A copy of the correspondence the Board received in response to February 24, 2015 email and a summary of the March 13, 2015 stakeholder meeting are attached as Exhibit C.

All comments received were reviewed by the Board's Code Committee at its April 16, 2015 meeting.

Steve Risser submitted written comments regarding amendments in several rules for above-ground storage tanks. As a result of concerns raised by a building official in early 2014 regarding duplication of enforcement by the building and fire codes of above-ground storage tanks, the Board developed rules to define the scope of the building/mechanical codes as it relates to tanks. If a tank is attached to building services equipment, then it is regulated by the building/mechanical codes. If it is not attached to building services equipment, then it solely regulated by the fire code and may require a permit issued by the fire official. This clarification intends to draw a bright line to avoid duplication of enforcement. See response to Question 12. Mr. Risser's comments sought further clarification of the role of the building and fire officials. After review, the Board's Code Committee determined not make a change as a result of the comments as the roles are already adequately defined in the proposed rules.

9. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

Continuing law is based on is the 2009 International Mechanical Code (IMC) promulgated and amended by the International Code Council (ICC). The model codes developed by ICC are updated every three years through a process that incorporates petitioning, public hearings and voting by ICC members. The ICC Committees that oversaw the development of the different provisions 2009 IMC included building and fire code officials, architects, engineers, contractors, and representatives from the National Association of Home Builders, Underwriters Laboratories, .and other professional organizations.

When a petition to amend the model code is submitted, the proponent of the change must submit the proposed language of the amendment, the reason for the amendment including scientific data when applicable, and the cost impact of the amendment. All submitted petitions are then published prior to initial code development hearings on the petitions. Interested persons may review the proposed changes and attend the code development hearing and provide comments. A report then is published on the public hearings for review and then final action is taken on the proposed changes at final action hearings. All successful changes are incorporated into the next edition of the model code.

Upon publication the Board's code committee reviews each substantive change included in the newest edition of the code and determines whether to recommend the change to the Board for adoption. The Board last fully updated the Ohio Mechanical Code on November 1, 2011.

Many of the changes included in the package are as a result of the Board's review of 2012 IMC. The Board determined to not do a full code update on the 2012 IMC, but instead adopt select provisions that provide clarification and keep the code responsive to trends and new technologies in construction. Other provisions provide clarification of the scope of the mechanical code as a result of unique regulatory structure in Ohio.

10. **What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?**

    The majority of the amendments included in this package provides clarification as to the scope of the mechanical code or provide additional options/exceptions to requirements thereby providing regulatory relief. To not make these changes would prevent designers and building owners from taking advantage of these clarifications.

11. **Did the Agency specifically consider a performance-based regulation? Please explain.**
    Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.

    Continuing law permits a registered design professional's alternative engineered design to be a compliance alternative method to the prescriptive requirements of the code. Section 106.5 of the Ohio Building Code permits a registered design professional to submit sufficient technical data to substantiate that performance of the proposed alternative engineered design meets the intent of the code. Additionally, section 107.4.3 provides that when construction documents have been prepared by an Ohio registered design professional conforming to the requirements of the rules of the Board pertaining to design loads, stresses, strength, and stability and other requirements involving technical analysis, the documents need only be examined to the extent necessary to determine conformity with other requirements of the rules of the Board.

12. **What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?**

    Editorial changes are routinely made to the rules to provide consistency with the Ohio Revised Code and other Board and agencies' rules. Additionally, RC § 3781.10 gives the Board sole authority to adopt rules which regulate the erection, construction, repair, alteration, and maintenance of all buildings or classes of buildings specified RC 3781.06 including residential and non-residential buildings.

13. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

For these rules to be enforced by a local government, its building department must be certified by the Board. The Board also certifies the personnel who work within these departments to ensure only qualified personnel are enforcing the Board's rules. Certified personnel must complete continuing education to maintain their certifications and continue to be authorized to enforce these rules. The Board has authority to suspend or revoke certifications for failure to properly enforce the rules. Also, the Board has a staff member dedicated to responding to complaints by persons affected by the Board rules. This program helps promote consistent and predictable application of the Board rules.

Adverse Impact to Business

14. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:

a. Identify the scope of the impacted business community;

No impact. The amendments included in this package provide clarification as to the scope of the building/mechanical codes and provide additional options/exceptions to requirements thereby providing regulatory relief,

b. Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and

See above.

c. Quantify the expected adverse impact from the regulation.

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a "representative business." Please include the source for your information/estimated impact.

See above.

15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

Not applicable. See above.

Regulatory Flexibility

16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

The rules do not have special exemptions or alternative means of compliance specifically for small business. The Ohio Building Code (OBC) requires a building official to issue an adjudication order to an owner when the design or construction of a building does not comply with the OBC. The adjudication order must comply with Revised Code Chapter 119 and give the owner an opportunity to appeal. This mechanism is often utilized by an owner voluntarily to obtain a variance from the requirements. Variance requests are heard by either the Ohio Board of Building Appeals or a certified local board of building appeals.

Also, the OBC permits alternative engineered designs prepared by a registered design professional to not strictly comply with the prescriptive requirements of the rules. To obtain approvals based on alternative engineered designs, the design professional must submit sufficient technical information to demonstrate that the performance meets the intent of the rules.

17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

Revised Code § 3781.102 does not authorize the Board to set the fees and/or penalties assessed by local certified residential building departments in connection with the enforcement of these rules. Compliance with the rules is accomplished through construction conforming to the certificate of plan approval (permit). Therefore, there are no potential paperwork violations of these rules.

18. What resources are available to assist small businesses with compliance of the regulation?

The Board's technical staff spends approximately 25% of their time responding to questions on the building codes and educating design professionals, contractors, the public, and code officials of the intent of the Board's rules assisting all parties in compliance.

Exhibit A

Hanshaw, Regina

From: Lane, Michael
Sent: Tuesday, February 24, 2015 4:05 PM
To: Lane, Michael
Cc: Hanshaw, Regina; Regoli, Steve; Ohler, Debbie; Johnson, Robert; Thiel, Kelly
Subject: Board of Building Standards Proposed Rules/Stakeholder Meeting Notification
Attachments: Stakeholder Meeting Notification.pdf

Board of Building Standards Stakeholder:

You are receiving this message pursuant to the requirements of Executive Order 2011-01K and Senate Bill 2 of the 129th General Assembly, which require state agencies, including the Ohio Board of Building Standards (Board), to draft rules in collaboration with stakeholders, assess and justify any adverse impact on the business community, and provide opportunity for the affected public to provide input on the rules.

Stakeholder Meeting

The Board will conduct a Stakeholder Meeting to hear comments and respond to questions on the proposed amendments summarized below on March 13, 2015 from 9:00 AM to 1:00 PM in Training Room 1, 6606 Tussing Road, Reynoldsburg, Ohio 43068. All interested stakeholders are invited to attend. The agenda for the meeting is as follows:

10:00 AM – 11:00 AM	Proposed Ohio Building Code Rules
11:00 AM – 12:00 PM	Proposed Ohio Plumbing Code Rules
12:00 PM – 1:00 PM	Proposed Ohio Mechanical Code Rules Proposed Residential Code of Ohio Rules

Overview of Proposed Rules

Proposed Ohio Building Code Rules

The Board proposes to amend the Ohio Administrative Code as follows: **4101:1-1-01** to clarify that public water systems, private water systems, marinas, and portable mobile vehicles are outside the scope of the codes, to exempt above-ground storage tanks from approval, to clarify that gas process equipment, tanks, and foundations are exempt from approval, to clarify that process equipment tanks and foundations are exempt from approval, to add the option and requirements for an incidental inspection program, to correct references that no longer apply, to delete the requirement to provide the fire protection system installer to the building department prior to approval, to clarify that the building department is to be notified of hazardous materials storage, to define the incidental inspection program, to require that Industrialized Unit manufacturer's report the insignia number of shipped units, and to modify the fees for services provided by the Division of Industrial Compliance; **4101:1-2-01** to add definitions for 24-hour care definition, above-ground storage tank, engine-mounted tank, fuel tank and incapable of self-preservation, to modify definitions for ambulatory health care facility, building services equipment and historic building, and to delete the definitions for adult family home and home, adult family; **4101:1-3-01** to add casinos and cafeterias, to modify term "Ambulatory Health Care Facility," to modify definition of Ambulatory Health Care Facility, to add commercial kitchens in § 306.2, to clarify intent of exception in § 307.1 as it relates to building service equipment, to add row and note "q" for combustible dusts and modify note "i" to add diesel oil and references to OMC in Table 307.1, to add qualifier and code reference for combustible dust, to add clarification and conditions for those buildings permitted to use the RCO design requirements, and to clarify that building service equipment tanks are Group U; **4101:1-4-01** to modify requirements for Ambulatory Care Facilities and to make general editorial corrections; **4101:1-5-01** to modify note "b" in table 503 to provide reference to Chapters 4 and 5; **4101:1-7-01** to add a reference to NFPA 221 for the construction of double fire walls, to add an exception to the hoistway venting requirement, to add two exceptions to the smoke barrier continuity requirements, to add two exceptions to the membrane penetration protection requirements, to add an exception for exterior curtain wall intersection requirements, and to add an additional exception to the fire damper requirement; **4101:1-9-01** to clarify requirements for Ambulatory Care Facilities, to clarify that two fire pumps are not necessarily required in all cases, to provide a cross reference to existing § 407.2.5 which

allows domestic type hood suppression systems meeting UL 300A, to provide clarification of hose connection locations, to delete marina standpipe requirements as outside the scope, to clarify extinguisher requirements in Group I-2 nursing homes, to coordinate with existing Chapter 11 requirements for voice/alarm systems, to coordinate Ambulatory Care Facility requirements, to require emergency voice/alarm communication systems in schools, to add clarifying language and to add additional options consistent with OEPA rules and NFPA 20; **4101:1-27-01** to provide clarification and design guidance for emergency and standby power systems, to provide clarification and design guidance for stationary generators and the associated fuel supplies, to add a row for casinos, to add note "i" eliminating the requirement for service sinks in certain B and M occupancies, to increase the threshold for separate facilities in mercantile occupancies, to add a new section that allows two family or assisted use toilet facilities to serve as separate facilities, to clarify the drinking fountain requirements and to clarify the setting requirements for fixtures; **4101:1-31-01** to remove language relating to mobile units; **4101:1-35-01** to update NFPA standards 30 and 31 and add standards 37 and 221 and to add UL standard 300A.
These proposed rules can be viewed here:
http://www.com.ohio.gov/documents/dico_OBCproposedchangesforMarch2015stakeholdermeeting.pdf

Proposed Ohio Plumbing Code Rules
The Board proposes to amend the Ohio Administrative Code as follows: **4101:3-2-01** to add definitions for above-ground storage tank, building service equipment, containment backflow prevention device, engine-mounted device, fuel tank, isolation and backflow prevention device, to modify definitions for combination waste and vent system, listed and plumbing fixture and to delete definitions for third party certification agency, third party certified and third part tested; **4101:3-3-01** to clarify that materials should include markings required by the referenced standards, to change 'third party' to 'approved agency' and clarifying language to delete third party requirements in Table 303.4, to clarify that insulation is required for each hot water pipe when bundled, to reference § 1612 of the building code for flood resistance, to clarify plastic pipe testing procedure, to clarify plastic pipe testing procedure, to clarify isolation backflow prevention device inspection and testing procedure as a result of coordination with OEPA, to add operational testing of low pressure cut-off device, low suction throttling valves, and variable speed suction limiting controls as a result of coordination with OEPA and to make general editorial corrections; **4101:3-4-01** to add specific plumbing fixture requirements for casinos and to add a service sink exemption for business and mercantile occupancies with occupant load fewer than 15 in Table 403.1, to allow family or assisted-use toilet facilities to serve as separate facilities, to clarify toilet room location, to clarify drinking fountain fixture locations, to remove Figure 405.3.1, to modify the minimum number of drinking fountains required and exceptions, to remove reference to commercial food waste grinders, to modify the language requiring tempered water for public hand-washing facilities, to add standard for liquid-type, trowel-applied, load-bearing, bonded waterproof materials, to add requirements for water closet personal hygiene devices and to make general editorial corrections; **4101:3-6-01** to modify reference standards, add pipe as well as tubing, and add polyethylene of raised temperature (PE-RT) plastic tubing in Table 605.3 , to add polyethylene of raised temperature (PE-RT) plastic tubing and reference standard in Table 605.4, to modify reference standards and to add polyethylene of raised temperature (PE-RT) plastic tubing and reference standard in Table 605.5, to add polyethylene of raised temperature plastic requirements, to add PE-RT flared joints and mechanical joints requirements, to add variable speed suction limiting controls to booster pump requirements and to clarify jurisdiction as a result of coordination with OEPA, to add temperature limiting means to hot water supply system requirements, to specify installation of temperature-actuated mixing valves and to make general editorial corrections; **4101:3-9-01** to clarify the length of a combination drain and vent system shall be unlimited and to add § 920 Single Stack Vent System; **4101:3-13-01** to add ASME standards A112.4.2-2008, ASTM standards F2735-09 and F2769-09, WWA standards C901-08 and C904-08, CSA standards B45.10, B45.15, B125.1, B125.2, B125.6, B356-05, and B483.1-07, to update ASME standards A112.18.1, A112.18.2, A112.18.3, A112.18.6, A112.19.1, A112.19.2, A112.19.3, A112.19.5, A112.19.7, CSA standards B45.1, B45.2, B45.4, and to remove ASME standards A112.19.6, A112.19.8M, A112.19.9M, and A112.19.13 and ASSE standards 1009-90.
These proposed rules can be viewed here:
http://www.com.ohio.gov/documents/dico_OPCproposedchangesforMarch2015stakeholdermeeting.pdf

Proposed Ohio Mechanical Code:
The Board proposes to amend the Ohio Administrative Code as follows: **4101:2-2-01** to add definitions for above-ground storage tank, building service equipment, engine-mounted tank and fuel tank; **4101:2-3-01** to add requirement for manufacturer identification, to add requirement for listing of plastic pipe, to add requirement for approved agency testing or listing of piping, tubing, and fittings and to make general editorial corrections; **4101:2-5-01** to coordinate the supervision requirement found in the fire code, to add diesel fuel § 502.9.5, Exception 3, to add requirements for underground grease ducts, to add code references in § 507.1 which are exempt from certain requirements, to add an exception for integral down draft exhaust systems and to make general editorial corrections; **4101:2-9-01** to add design guidance and clarification for fuel tanks supplying engine-driven building service equipment, to add design guidance for gaseous fuel supply for engines supplying building service equipment, to add design guidance for engine- driven generators and to make general editorial corrections; **4101:2-13-01** to add design guidance for diesel oil storage and piping systems associated with building service equipment, to add design guidance for diesel oil storage

and piping systems associated with building service equipment, to add design guidance for fuel oil and diesel oil storage for building service equipment and to make general editorial corrections; **4101:2-15-01** to update NFPA standard 31 and to add NFPA standards 30 and 96 and to update standard UL 2200 and to add UL standard 2085.
These proposed rules can be viewed here:
http://www.com.ohio.gov/documents/dico_OMCproposedchangesforMarch2015stakeholdermeeting.pdf

Proposed Residential Code of Ohio Rules:
The Board proposes to amend the Ohio Administrative Code as follows: **4101:8-1-01** to add language including electrical equipment associated with bodies of water, to add an exception for private water systems, to add above-ground storage tanks as work exempt from approval, to add an incidental inspection program and requirements, to remove language regarding the installer of fire protection systems, o add accessibility provisions to plan submittal and to make general editorial corrections; **4101:8-2-01** to add definitions for above ground storage tank, building service equipment, engine mounted tank and fuel tank; **4101:8-3-01** to add detached garages with an exterior wall located ≥3 ft from a lot line in to exceptions to § 302.1, to specify the technology requirements in § 314.1, to add an exception for systems meeting in § 314.2, to add Type C (visitable) to accessibility scope and to make general editorial corrections; **4101:8-5-01** to update references in §§ 502.1.1 and 502.2.1, to remove deck lateral load connection language, to remove figure 502.2.2.3, and to add clarification to the exceptions for vapor retarder requirements in § 506.2.3; **4101:8-19-0** to add a section for Engine and gas-turbine powered equipment and appliances, to add requirements for engine-driven equipment and appliances and fuel tanks connected to engine-driven building services equipment requirements and to make general editorial corrections; **4101:8-22-01** to add a scope to the Special piping and storage systems chapter, to add diesel oil to the scope of above-ground tanks requirements, to add an exception and specify a reference standard in § 2201.2 and to add regulated underground storage of fuel oil requirements; **4101:8-24-01** to add CSST bonding and to update language from 'air conditioners' to 'equipment and appliances;' **4101:8-34-01** to add provisions for emergency and standby power systems; **4101:8-44-01** to update the OAC referenced codes, to add NFPA standards 30-15, 37-10, 110-10, and 111-10 and update standard 31-11, and to add UL standard 2200-12.
These proposed rules can be viewed here:
http://www.com.ohio.gov/documents/dico_RCOproposedchangesforMarch2015stakeholdermeeting.pdf

Contact Information for Comments or Questions

If you cannot attend the above Stakeholder Meeting, you can submit written comments or questions on the proposed amendments to the Board. You may submit your comments via email at BBS@com.state.oh.us or U.S. Mail at Ohio Board of Building Standards, 6606 Tussing Rd, Reynoldsburg, Ohio 43068, Attn: Regina Hanshaw by March 31, 2015.

Sincerely,

Regina S. Hanshaw
Executive Secretary
Ohio Board of Building Standards

Regina Hanshaw
Executive Secretary
Ohio Department of Commerce
Board of Building Standards
6606 Tussing Rd., Reynoldsburg, OH 43068
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2/24/15

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Exhibit B

Hanshaw, Regina

From: Lane, Michael
Sent: Tuesday, February 24, 2015 4:05 PM
To: Lane, Michael
Cc: Hanshaw, Regina; Regoli, Steve; Ohler, Debbie; Johnson, Robert; Thiel, Kelly
Subject: Board of Building Standards Proposed Rules/Stakeholder Meeting Notification
Attachments: Stakeholder Meeting Notification.pdf

Board of Building Standards Stakeholder:

You are receiving this message pursuant to the requirements of Executive Order 2011-01K and Senate Bill 2 of the 129th General Assembly, which require state agencies, including the Ohio Board of Building Standards (Board), to draft rules in collaboration with stakeholders, assess and justify any adverse impact on the business community, and provide opportunity for the affected public to provide input on the rules.

Stakeholder Meeting

The Board will conduct a Stakeholder Meeting to hear comments and respond to questions on the proposed amendments summarized below on March 13, 2015 from 9:00 AM to 1:00 PM in Training Room 1, 6606 Tussing Road, Reynoldsburg, Ohio 43068. All interested stakeholders are invited to attend. The agenda for the meeting is as follows:

10:00 AM – 11:00 AM	Proposed Ohio Building Code Rules
11:00 AM – 12:00 PM	Proposed Ohio Plumbing Code Rules
12:00 PM – 1:00 PM	Proposed Ohio Mechanical Code Rules Proposed Residential Code of Ohio Rules

Overview of Proposed Rules

Proposed Ohio Building Code Rules

The Board proposes to amend the Ohio Administrative Code as follows: **4101:1-1-01** to clarify that public water systems, private water systems, marinas, and portable mobile vehicles are outside the scope of the codes, to exempt above-ground storage tanks from approval, to clarify that gas process equipment, tanks, and foundations are exempt from approval, to clarify that process equipment tanks and foundations are exempt from approval, to add the option and requirements for an incidental inspection program, to correct references that no longer apply, to delete the requirement to provide the fire protection system installer to the building department prior to approval, to clarify that the building department is to be notified of hazardous materials storage, to define the incidental inspection program, to require that Industrialized Unit manufacturer's report the insignia number of shipped units, and to modify the fees for services provided by the Division of Industrial Compliance; **4101:1-2-01** to add definitions for 24-hour care definition, above-ground storage tank, engine-mounted tank, fuel tank and incapable of self-preservation, to modify definitions for ambulatory health care facility, building services equipment and historic building, and to delete the definitions for adult family home and home, adult family; **4101:1-3-01** to add casinos and cafeterias, to modify term "Ambulatory Health Care Facility," to modify definition of Ambulatory Health Care Facility, to add commercial kitchens in § 306.2, to clarify intent of exception in § 307.1 as it relates to building service equipment, to add row and note "q" for combustible dusts and modify note "i" to add diesel oil and references to OMC in Table 307.1, to add qualifier and code reference for combustible dust, to add clarification and conditions for those buildings permitted to use the RCO design requirements, and to clarify that building service equipment tanks are Group U; **4101:1-4-01** to modify requirements for Ambulatory Care Facilities and to make general editorial corrections; **4101:1-5-01** to modify note "b" in table 503 to provide reference to Chapters 4 and 5; **4101:1-7-01** to add a reference to NFPA 221 for the construction of double fire walls, to add an exception to the hoistway venting requirement, to add two exceptions to the smoke barrier continuity requirements, to add two exceptions to the membrane penetration protection requirements, to add an exception for exterior curtain wall intersection requirements, and to add an additional exception to the fire damper requirement; **4101:1-9-01** to clarify requirements for Ambulatory Care Facilities, to clarify that two fire pumps are not necessarily required in all cases, to provide a cross reference to existing § 407.2.5 which

allows domestic type hood suppression systems meeting UL 300A, to provide clarification of hose connection locations, to delete marina standpipe requirements as outside the scope, to clarify extinguisher requirements in Group I-2 nursing homes, to coordinate with existing Chapter 11 requirements for voice/alarm systems, to coordinate Ambulatory Care Facility requirements, to require emergency voice/alarm communication systems in schools, to add clarifying language and to add additional options consistent with OEPA rules and NFPA 20; **4101:1-27-01** to provide clarification and design guidance for emergency and standby power systems, to provide clarification and design guidance for stationary generators and the associated fuel supplies, to add a row for casinos, to add note "i" eliminating the requirement for service sinks in certain B and M occupancies, to increase the threshold for separate facilities in mercantile occupancies, to add a new section that allows two family or assisted use toilet facilities to serve as separate facilities, to clarify the drinking fountain requirements and to clarify the setting requirements for fixtures; **4101:1-31-01** to remove language relating to mobile units; **4101:1-35-01** to update NFPA standards 30 and 31 and add standards 37 and 221 and to add UL standard 300A.
These proposed rules can be viewed here:
http://www.com.ohio.gov/documents/dico_OBCproposedchangesforMarch2015stakeholdermeeting.pdf

Proposed Ohio Plumbing Code Rules
The Board proposes to amend the Ohio Administrative Code as follows: **4101:3-2-01** to add definitions for above-ground storage tank, building service equipment, containment backflow prevention device, engine-mounted device, fuel tank, isolation and backflow prevention device, to modify definitions for combination waste and vent system, listed and plumbing fixture and to delete definitions for third party certification agency, third party certified and third part tested; **4101:3-3-01** to clarify that materials should include markings required by the referenced standards, to change 'third party' to 'approved agency' and clarifying language to delete third party requirements in Table 303.4, to clarify that insulation is required for each hot water pipe when bundled, to reference § 1612 of the building code for flood resistance, to clarify plastic pipe testing procedure, to clarify plastic pipe testing procedure, to clarify isolation backflow prevention device inspection and testing procedure as a result of coordination with OEPA, to add operational testing of low pressure cut-off device, low suction throttling valves, and variable speed suction limiting controls as a result of coordination with OEPA and to make general editorial corrections; **4101:3-4-01** to add specific plumbing fixture requirements for casinos and to add a service sink exemption for business and mercantile occupancies with occupant load fewer than 15 in Table 403.1, to allow family or assisted-use toilet facilities to serve as separate facilities, to clarify toilet room location, to clarify drinking fountain fixture locations, to remove Figure 405.3.1, to modify the minimum number of drinking fountains required and exceptions, to remove reference to commercial food waste grinders, to modify the language requiring tempered water for public hand-washing facilities, to add standard for liquid-type, trowel-applied, load-bearing, bonded waterproof materials, to add requirements for water closet personal hygiene devices and to make general editorial corrections; **4101:3-6-01** to modify reference standards, add pipe as well as tubing, and add polyethylene of raised temperature (PE-RT) plastic tubing in Table 605.3 , to add polyethylene of raised temperature (PE-RT) plastic tubing and reference standard in Table 605.4, to modify reference standards and to add polyethylene of raised temperature (PE-RT) plastic tubing and reference standard in Table 605.5, to add polyethylene of raised temperature plastic requirements, to add PE-RT flared joints and mechanical joints requirements, to add variable speed suction limiting controls to booster pump requirements and to clarify jurisdiction as a result of coordination with OEPA, to add temperature limiting means to hot water supply system requirements, to specify installation of temperature-actuated mixing valves and to make general editorial corrections; **4101:3-9-01** to clarify the length of a combination drain and vent system shall be unlimited and to add § 920 Single Stack Vent System; **4101:3-13-01** to add ASME standards A112.4.2-2008, ASTM standards F2735-09 and F2769-09, WWA standards C901-08 and C904-08, CSA standards B45.10, B45.15, B125.1, B125.2, B125.6, B356-05, and B483.1-07, to update ASME standards A112.18.1, A112.18.2, A112.18.3, A112.18.6, A112.19.1, A112.19.2, A112.19.3, A112.19.5, A112.19.7, CSA standards B45.1, B45.2, B45.4, and to remove ASME standards A112.19.6, A112.19.8M, A112.19.9M, and A112.19.13 and ASSE standards 1009-90.
These proposed rules can be viewed here:
http://www.com.ohio.gov/documents/dico_OPCproposedchangesforMarch2015stakeholdermeeting.pdf

Proposed Ohio Mechanical Code:
The Board proposes to amend the Ohio Administrative Code as follows: **4101:2-2-01** to add definitions for above-ground storage tank, building service equipment, engine-mounted tank and fuel tank; **4101:2-3-01** to add requirement for manufacturer identification, to add requirement for listing of plastic pipe, to add requirement for approved agency testing or listing of piping, tubing, and fittings and to make general editorial corrections; **4101:2-5-01** to coordinate the supervision requirement found in the fire code, to add diesel fuel § 502.9.5, Exception 3, to add requirements for underground grease ducts, to add code references in § 507.1 which are exempt from certain requirements, to add an exception for integral down draft exhaust systems and to make general editorial corrections; **4101:2-9-01** to add design guidance and clarification for fuel tanks supplying engine-driven building service equipment, to add design guidance for gaseous fuel supply for engines supplying building service equipment, to add design guidance for engine- driven generators and to make general editorial corrections; **4101:2-13-01** to add design guidance for diesel oil storage and piping systems associated with building service equipment, to add design guidance for diesel oil storage

and piping systems associated with building service equipment, to add design guidance for fuel oil and diesel oil storage for building service equipment and to make general editorial corrections; **4101:2-15-01** to update NFPA standard 31 and to add NFPA standards 30 and 96 and to update standard UL 2200 and to add UL standard 2085.
These proposed rules can be viewed here:
http://www.com.ohio.gov/documents/dico_OMCproposedchangesforMarch2015stakeholdermeeting.pdf

Proposed Residential Code of Ohio Rules:
The Board proposes to amend the Ohio Administrative Code as follows: **4101:8-1-01** to add language including electrical equipment associated with bodies of water, to add an exception for private water systems, to add above-ground storage tanks as work exempt from approval, to add an incidental inspection program and requirements, to remove language regarding the installer of fire protection systems, o add accessibility provisions to plan submittal and to make general editorial corrections; **4101:8-2-01** to add definitions for above ground storage tank, building service equipment, engine mounted tank and fuel tank; **4101:8-3-01** to add detached garages with an exterior wall located ≥3 ft from a lot line in to exceptions to § 302.1, to specify the technology requirements in § 314.1, to add an exception for systems meeting in § 314.2, to add Type C (visitable) to accessibility scope and to make general editorial corrections; **4101:8-5-01** to update references in §§ 502.1.1 and 502.2.1, to remove deck lateral load connection language, to remove figure 502.2.2.3, and to add clarification to the exceptions for vapor retarder requirements in § 506.2.3; **4101:8-19-0** to add a section for Engine and gas-turbine powered equipment and appliances, to add requirements for engine-driven equipment and appliances and fuel tanks connected to engine-driven building services equipment requirements and to make general editorial corrections; **4101:8-22-01** to add a scope to the Special piping and storage systems chapter, to add diesel oil to the scope of above-ground tanks requirements, to add an exception and specify a reference standard in § 2201.2 and to add regulated underground storage of fuel oil requirements; **4101:8-24-01** to add CSST bonding and to update language from 'air conditioners' to 'equipment and appliances;' **4101:8-34-01** to add provisions for emergency and standby power systems; **4101:8-44-01** to update the OAC referenced codes, to add NFPA standards 30-15, 37-10, 110-10, and 111-10 and update standard 31-11, and to add UL standard 2200-12.
These proposed rules can be viewed here:
http://www.com.ohio.gov/documents/dico_RCOproposedchangesforMarch2015stakeholdermeeting.pdf

Contact Information for Comments or Questions

If you cannot attend the above Stakeholder Meeting, you can submit written comments or questions on the proposed amendments to the Board. You may submit your comments via email at BBS@com.state.oh.us or U.S. Mail at Ohio Board of Building Standards, 6606 Tussing Rd, Reynoldsburg, Ohio 43068, Attn: Regina Hanshaw by March 31, 2015.

Sincerely,

Regina S. Hanshaw
Executive Secretary
Ohio Board of Building Standards

Regina Hanshaw
Executive Secretary
Ohio Department of Commerce
Board of Building Standards
6606 Tussing Rd., Reynoldsburg, OH 43068
614-644-2613
www.com.ohio.gov

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Stakeholder Meeting
Proposed Ohio Mechanical Code & Residential Code of Ohio Rules
March 13, 2015
12:00 PM – 1:00 PM

The Board is conducting this stakeholder meeting as part of the Common Sense Initiative (CSI) Business Regulation Impact process to provide information on proposed rules and respond to questions from interested persons prior to formal rule-filing. After review of all comments submitted in writing and at today's meeting, the Board will incorporate any approved changes as a result of the comments and document the reasons for the changes in a Business Regulatory Impact Analysis. The revised rules and the Business Regulatory Impact Analysis will then be filed with the CSI Office for review and recommendation and resent to stakeholders via e-notification. After receipt of the CSI Office recommendations, the Board will determine whether to move forward with formal rule-filing. If the Board does determine to formally file these rules, as revised, the Board will also conduct a regular public hearing prior to their adoption as required by Revised Code Chapter 119.

Proposed Ohio Mechanical Code:
The Board proposes to amend the Ohio Administrative Code as follows: **4101:2-2-01** to add definitions for above-ground storage tank, building service equipment, engine-mounted tank and fuel tank; **4101:2-3-01 t**o add requirement for manufacturer identification, to add requirement for listing of plastic pipe, to add requirement for approved agency testing or listing of piping, tubing, and fittings and to make general editorial corrections; **4101:2-5-01** to coordinate the supervision requirement found in the fire code, to add diesel fuel § 502.9.5, Exception 3, to add requirements for underground grease ducts, to add code references in § 507.1 which are exempt from certain requirements, to add an exception for integral down draft exhaust systems and to make general editorial corrections; **4101:2-9-01** to add design guidance and clarification for fuel tanks supplying engine-driven building service equipment, to add design guidance for gaseous fuel supply for engines supplying building service equipment, to add design guidance for engine- driven generators and to make general editorial corrections; **4101:2-13-01** to add design guidance for diesel oil storage and piping systems associated with building service equipment, to add design guidance for diesel oil storage and piping systems associated with building service equipment, to add design guidance for fuel oil and diesel oil storage for building service equipment and to make general editorial corrections; **4101:2-15-01** to update NFPA standard 31 and to add NFPA standards 30 and 96 and to update standard UL 2200 and to add UL standard 2085.

Proposed Residential Code of Ohio Rules:
The Board proposes to amend the Ohio Administrative Code as follows: **4101:8-1-01** to add language including electrical equipment associated with bodies of water, to add an exception for private water systems, to add above-ground storage tanks as work exempt from approval, to add an incidental inspection program and requirements, to remove language regarding the installer of fire protection systems, o add accessibility provisions to plan submittal and to make general editorial corrections; **4101:8-2-01** to add definitions for above ground storage tank, building service equipment, engine mounted tank and fuel tank; **4101:8-3-01** to add detached garages with an exterior wall located ≥3 ft from a lot line in to exceptions to § 302.1, to specify the technology requirements in § 314.1, to add an exception for systems meeting in § 314.2, to add Type C (visitable) to accessibility scope and to make general editorial corrections; **4101:8-5-01** to update references in §§ 502.1.1 and 502.2.1, to remove deck lateral load connection language, to remove figure 502.2.2.3,

and to add clarification to the exceptions for vapor retarder requirements in § 506.2.3; **4101:8-19-0** to add a section for Engine and gas-turbine powered equipment and appliances, to add requirements for engine-driven equipment and appliances and fuel tanks connected to engine-driven building services equipment requirements and to make general editorial corrections; **4101:8-22-01** to add a scope to the Special piping and storage systems chapter, to add diesel oil to the scope of above-ground tanks requirements, to add an exception and specify a reference standard in § 2201.2 and to add regulated underground storage of fuel oil requirements; **4101:8-24-01** to add CSST bonding and to update language from 'air conditioners' to 'equipment and appliances;' **4101:8-34-01** to add provisions for emergency and standby power systems; **4101:8-44-01** to update the OAC referenced codes, to add NFPA standards 30-15, 37-10, 110-10, and 111-10 and update standard 31-11, and to add UL standard 2200-12.

Department of Commerce
Division of Industrial Compliance
John R. Kasich, Governor
Andre T. Porter, Director

List of BBS Proposed Ohio Mechanical Code Rule Changes– Spring 2015
2011 OHIO MECHANICAL CODE PROPOSED CHANGES

Ohio Administrative Code Rule Number	OMC Section	Reason for proposed change
4101:2-2-01	Above-ground storage tank	To add definition
	Approved Agency	To modify definition
	Building Service Equipment	To add definition
	Engine-Mounted Tank	To add definition
	Fuel Tank	To add definition
4101:2-3-01	301.3	To add requirement for manufacturer identification
	301.4	To add requirement for listing of plastic pipe
	301.5	To add requirement for approved agency testing or listing of piping, tubing, and fittings
	301.6 – 301.18	Renumber sections
	301.8	To correct code references
	301.16	To provide a code reference
4101:2-5-01	502.4.3	To coordinate the supervision requirement found in the fire code
	502.9.5, Exception 3	To add diesel fuel
	502.10.1	To add item 8 which was an ICC errata
	506.3.13	To add requirements for underground grease ducts
	507.1, Exceptions 1 and 2	To add code references which are exempt from certain requirements
	507.2	To add an exception for integral down draft exhaust systems
4101:2-9-01	915.1	To clarify
	915.2	To clarify
	915.2.1	To add design guidance and clarification for fuel tanks supplying engine-driven building service equipment
	915.2.2	To add design guidance for gaseous fuel supply for engines supplying building service equipment
	915.3	To add design guidance for

		engine- driven generators
4101:2-13-01	1301.1	To add design guidance for diesel oil storage and piping systems associated with building service equipment
	1301.2	To add design guidance for diesel oil storage and piping systems associated with building service equipment
	1308	To add design guidance for fuel oil and diesel oil storage for building service equipment
	1309	To renumber section
4101:2-15-01	NFPA	To update standard 31 and to add standards 30 and 96
	UL	To update standard 2200 and to add standard 2085

Exhibit C

MONTGOMERY COUNTY

COMMUNITY & ECONOMIC DEVELOPEMENT

BUILDING REGULATIONS DIVISION

451 West Third Street, 10th Floor
Dayton, Ohio 45422-1070
937-225-4622 - phone
937-225-6327 - fax

www.mcohio.org/build

COUNTY COMMISSIONERS
Judy Dodge
Dan Foley
Deborah A. Lieberman

COUNTY ADMINISTRATOR
Joseph P. Tuss

COMMUNITY & ECONOMIC DEVELOPEMENT DIRECTOR
Erik S. Collins

March 3, 2015

Ohio Board of Building Standards
6606 Tussing Road
PO Box 4009
Columbus, Ohio 43068-9009

Dear Sirs and Madams,

I have some concerns about upcoming Ohio Plumbing Code changes that I would like to share with the Board at the hearing on March 13, 2015.

Below is an excerpt of the changes proposed to Section 410 the Ohio Plumbing Code:

SECTION 410 DRINKING FOUNTAINS

410.1 Approval. Drinking fountains shall conform to ASME A112.19.1M*/CSA B45.2 or* ASME A112.19.2M or ASME A112.19.9M*/CSA B45.1* and water coolers shall conform to ARI 1010. Drinking fountains and water coolers shall conform to NSF 61, Section 9. Where water is served in restaurants, *or where bottled water coolers are provided in other occupancies,* drinking fountains shall not be required.

410.2 Minimum number. *Where drinking fountains are required, not fewer than two drinking fountains shall be provided. One drinking fountain shall comply with the requirements for people who use a wheelchair and one drinking fountain shall comply with the requirements for standing persons.*

Exception: *A single drinking fountain that complies with the requirements for people who use a wheelchair and standing persons shall be permitted to be substituted for two separate drinking fountains.*

410.2 ***410.3*** **Prohibited location**. Drinking fountains, water coolers and bottled water dispensers shall not be installed in public restrooms.

I believe this can be construed that under 410.1, if one provides a bottled water cooler, one could argue that drinking fountains are not required, and therefore, one does not have to abide by the provisions of 410.2 for high-low drinking fountains because they are only required "where drinking fountains are required."

I raised this issue with the Board a few years ago due to the apparent conflict between 410.1 and the provisions of OBC Chapter 11, which has language similar to 410.2. I was told that the provisions of Chapter 11 for accessible drinking fountains superseded plumbing code language to the extent that you must first provide the high-low drinking fountain, and the substitution of bottled water dispensers was only applicable if more than one drinking fountain was required, additional water service could be provided by the water coolers.

Additional questions arise if bottled water dispensers are allowed to substitute for accessible drinking fountains. By what measures does one address the accessibility of the bottled water dispenser? Does the spigot have to deliver water without a tight grasping or pinching action? Does the cup dispenser have to also provide cups without requiring tight grasping or pinching? Do the cups themselves have to be capable of being held without tight grasping and pinching? In a nutshell, if my hands are closed, fist-like, due to arthritis or some similar disability, can I operate that bottled water dispenser to quench my thirst?

Are we to require cut sheets for the dispensers at the time of plan review in order to evaluate the claims of usability by persons with disabilities? Because these are portable, plug-in devices, do we notate on the Certificate of Occupancy that they must be provided and filled as a condition of occupancy approval?

I think the Board should take this opportunity to be very clear about your intent, and not let such language persist that pits my interpretation against applicants' time and time again.

Thank you for your consideration,

Maurice D. Wyckoff
Chief Building Official
Montgomery County Building Regulations

Hanshaw, Regina

From: Richard Nelson <rnelson@medinaco.org>
Sent: Thursday, March 19, 2015 3:08 PM
To: Hanshaw, Regina; Regoli, Steve
Subject: stake holder mtg comments

Hello
Follow up on my comments at the meeting;
RCO 302.1 new exception #6 I commented that existing exemption #2 conflicted with the associated table- I retract the comment- I now understand what it is saying.
OBC 716.5.4 new exception #4 I commented that the first sentence wording is bad. Now knowing that it came straight from the IBC, it may be best to leave it alone, but I do think it could read better, such as:
4. HVAC duct penetrations in fire partitions which have a required fire resistance rating of (1) hour or less, and, are in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.1.1 or 903.1.2.

Thank you (I don't have Robs e-mail)

Richard Nelson
Residential Building Official/Inspectors Supervisor

Medina County Building Department
791 W. Smith Rd.
Medina, OH 44256

p 330 764 8289
f 330 764 8204
http://building.medinaco.org

Hanshaw, Regina

From: Stephen Risser <srisser@richlandcountyoh.us>
Sent: Tuesday, March 31, 2015 4:28 PM
To: Ohler, Debbie
Cc: Hanshaw, Regina; Ken Arthur
Subject: Re: Above-ground storage tank/generator rule language

Debbie,

Thanks again for sending the draft rules for our comment. Our comments are below. From our understanding, the associated structural (including foundation) and electrical work would also be exempt from the scope of the OBC unless the tanks or equipment serve or are connected to building services equipment.

1. Page 1. **Rule 4101:1-1-01 (OBC Chapter 1).** Work exempt from approval per OBC 102.10. I would suggest that clarifications are added to the Building and Electrical Sections under section 102.10 to clarify these scopes are exempt from work as well related to engine-mounted tanks and fuel tanks. The building section as written does already mention above-ground storage tanks.
2. Page 5-6. **Rule 4101:1-27-01 (OBC Chapter 27). I see the inconsistencies between the NFPA standards. Agree that this is an NFPA code change proposal and would be difficult to bridge the inconsistencies in the OBC.** Is the SFM language proposed to be added in this section? This will make the OBC consistent with the OFC. It may be prudent to add the minimum prescriptive requirements as written and allow for alternate methods of protection subject to the approval of the building official. Allowing for the alternate methods of approval will still allow the designers flexibility while reminding them that certain levels of protection (impact protection, security, etc.) are still required. In our opinon, sometimes designers will only design when the code requires or "reminds" them to.
3. Page 8. **Rule 4101:2-9-01 (OMC Chapter 9).** Agreed on OBC 915.2.1.1 on the prescriptive requirements for generator and tank protection. Is the SFM language proposed to be added in this section too? Agreed as well on consistency requirements. See comments on OBC Chapter 27.
4. Page 9. **Rule 4101:2-13-01 (OMC Chapter 13).** OBC 1301.2.....I don't see a section for OMC 1308.3.6. Is this a new proposed section?

From a technical standpoint, I think the proposed rules are very good and the definitions have been altered in a way to minimize confusion. I think the only issues are the scope of work with regard to what type of work requires an approval and by what agency. The education process may be difficult as currently multiple agencies (building, local fire vs state fire) may be enforcing multiple codes on a project. Again, thanks for the opportunity to provide comments.

Sincerely,

Stephen M. Risser, PE
Director

Richland County Building Department
1495 W. Longview Avenue Suite 202A
Mansfield, Ohio 44906

voice: (419) 774-5517
fax: (419) 774-6317
email: srisser@richlandcountyoh.us
web: www.richlandcountyoh.us/c&p.htm

On Mon, Mar 2, 2015 at 9:44 AM, Ohler, Debbie <Debbie.Ohler@com.state.oh.us> wrote:

Good morning, Steve.

If possible, we would like the comments by March 31st.

Thanks again!

Debbie

Deborah D. Ohler, P.E., Staff Engineer
Ohio Board of Building Standards
PO Box 4009, 6606 Tussing Rd
Reynoldsburg, OH 43068-9009
Office Phone: 614-644-2613 Fax:614-222-2147
dohler@com.state.oh.us
http://www.com.ohio.gov/dico/BBS/

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From: Stephen Risser [mailto:srisser@richlandcountyoh.us]
Sent: Friday, February 27, 2015 4:20 PM
To: Ohler, Debbie
Subject: Re: Above-ground storage tank/generator rule language

Debbie,

Thanks for the email. I'll review here with our staff and put come comments together.

Being the OBOA conference is the first part of the week and we have a workgroup conference call on the 11th, we most likely will not be at the March 13th meeting. When is the deadline for email comments?

Stephen M. Risser, PE
Director

Richland County Building Department
1495 W. Longview Avenue Suite 202A
Mansfield, Ohio 44906
voice: (419) 774-5517
fax: (419) 774-6317
email: srisser@richlandcountyoh.us
web: www.richlandcountyoh.us/c&p.htm

On Fri, Feb 27, 2015 at 8:34 AM, Ohler, Debbie <Debbie.Ohler@com.state.oh.us> wrote:

Good morning, Steve.

I hope you are staying warm during this long, cold winter!

You and I had spoken a few months ago about our proposal to change the rules relating to above-ground storage tanks and generators. You had indicated, at that time, that you would be willing to take a look and provide comments/suggestions/questions on our proposed changes.

If you are still willing to take a look, I have attached a copy of the relevant rule changes for your reference. You may have noticed that these proposed changes are also included in the stakeholder rule review package that we sent out earlier this week. However, the attached document includes only the changes relating to above-ground tanks and generators.

If you have the time, please consider reviewing the rules and offering any comments/suggestions/ questions either, in person at our March 13th stakeholder meeting, or via e-mail to myself or Regina.

Thank you for your consideration.

Debbie

Deborah D. Ohler, P.E., Staff Engineer
Ohio Board of Building Standards
PO Box 4009, 6606 Tussing Rd
Reynoldsburg, OH 43068-9009
Office Phone: 614-644-2613 Fax:614-222-2147
dohler@com.state.oh.us
http://www.com.ohio.gov/dico/BBS/

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Medina County Building Department

791 W Smith Rd Medina OH 44256-2422
www.building.medinaco.org chuber@medinaco.org
ph 330-722-9221 fax 330-764-8204

Regina Hanshaw Esq
Ohio Board of Building Standards
PO Box 4009
Reynoldsburg OH 43068-9009
Via e-mail BBS@com.state.oh.us

March 31, 2015

Subject: Proposed Rules/Stakeholder Meeting March 13, 2015

Michael Lane e-mail February 24, 2015 announced subject meeting and stated comments could be submitted in writing. Attached are comments to three proposed changes.

Sincerely,

Charles E Huber

Charles E. Huber
Chief Building Official

Atch
a/s

cc: Jeffery Rettberg, FBOA President, *jrettberg@fboa.org*
James Stocksdale, OBOA President, *JEStocksdale@Columbus.gov*

Medina County Building Dept point-of-contact: Charles Huber, ph 330-722-9221, e-mail chuber@medinaco.org Mr Huber didn't attend nor were his comment at the Stakeholders' Meeting March 13, 2015.

BBS e-mail February 24, 2015 distributed the proposed change to the OBC 101.2 to add exceptions including:

> *13. Private water systems (including tanks, fountains, piping, and process equipment associated with these systems) regulated by the Ohio Department of Health in accordance with section 3701.344 of the Revised Code.*

The wording located in Ohio Revised Code 3781.10 boldface added for emphasis below, provides scope of the tasking to the Board of Building Standards to develop rules. A building's electrical system serving private water systems and septic systems are within the statute's tasking.

> ***ORC 3781.10 Board of building standards - powers and duties.****(A) (1) The board of building standards shall formulate and adopt rules governing the erection, construction, repair, alteration, and maintenance of all buildings or classes of buildings specified in section 3781.06 of the Revised Code,* ***including land area incidental to those buildings,*** *the construction of industrialized units, the installation of equipment, and the standards or requirements for materials used in connection with those buildings. The board shall incorporate those rules into separate residential and nonresidential building codes. The standards shall relate to the conservation of energy and the safety and sanitation of those buildings.*

Medina County Building Department proposes OBC 101.2 not be amended to add the exception excluding private water systems' electrical systems.

Medina County Building Dept point-of-contact: Charles Huber, ph 330-722-9221, e-mail chuber@medinaco.org Mr Huber didn't attend nor were his comment at the Stakeholders' Meeting March 13, 2015.

BBS e-mail February 24, 2015 distributed the proposed change to the OBC 101.2 to add exceptions including:

14. Marinas, boatyards, and docks.

OBC 1110.4.9 regulates boat slips and boat launch ramps with regards to accessibility. These requirements exist in OBC pursuant to ORC 3781.111(B) requiring OBC be in accordance with the Americans with Disabilities Act.

Medina County Building Department proposes OBC 101.2 be amended to read:

14. Marinas, boatyards, and docks except with regard to accessibility as described in Chapter 11.

Medina County Building Dept point-of-contact: Timothy Payne, ph 330-764-8286, e-mail tpayne@medinaco.org This follows-up Mr Payne's comments he presented at the Stakeholders' Meeting March 13, 2015.

BBS e-mail February 24, 2015 distributed the proposed change to the RCO 101.2 to read in part:

> ***101.2 Scope.*** *The provisions of the "Residential Code of Ohio for One-, Two-, and Three-Family Dwellings" shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every one-, two-, or three-family dwelling, any appurtenances connected or attached to such buildings or structures, or any accessory structure incidental to that dwelling house ~~electrical equipment associated with bodies of water as defined in article 680 of NFPA 70 as referenced in part IX, chapter 44.~~ This code also applies to a one-family, two-family, or three-family dwelling house that is used as a model to promote the sale of a similar dwelling house. No building or its equipment or accessories, to which the rules of the board apply shall be erected, constructed, or installed, except in conformity with the rules of the board. ...*

The wording located in Ohio Revised Code 3781.10 boldface added for emphasis below, should be added to the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings Section 101.2 Scope to avoid the RCO deviating from statute and will show that NFPA 70 Article 680 Swimming Pools, Fountains, and Similar Installations is within the scope of the RCO.

> ***ORC 3781.10 Board of building standards - powers and duties.****(A) (1) The board of building standards shall formulate and adopt rules governing the erection, construction, repair, alteration, and maintenance of all buildings or classes of buildings specified in section 3781.06 of the Revised Code,* ***including land area incidental to those buildings,*** *the construction of industrialized units, the installation of equipment, and the standards or requirements for materials used in connection with those buildings. The board shall incorporate those rules into separate residential and nonresidential building codes. The standards shall relate to the conservation of energy and the safety and sanitation of those buildings.*

Medina County Building Department proposes RCO 101.2 be amended to read:

> ***101.2 Scope.*** *The provisions of the "Residential Code of Ohio for One-, Two-, and Three-Family Dwellings" shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every one-, two-, or three-family*

dwelling, any appurtenances connected or attached to such buildings or structures, or any accessory structure incidental to that dwelling house <u>including land area incidental to those buildings or structures.</u> This code also applies to a one-family, two-family, or three-family dwelling house that is used as a model to promote the sale of a similar dwelling house. No building or its equipment or accessories, to which the rules of the board apply shall be erected, constructed, or installed, except in conformity with the rules of the board.

Hanshaw, Regina

From: Soma, Jack
Sent: Friday, April 03, 2015 10:51 AM
To: Hanshaw, Regina; Regoli, Steve; Schell, Susan
Subject: FW: Booster Pumps

Jack Soma
Plumbing Section Supervisor
Ohio Department of Commerce
Bureau of Building Code Compliance
6606 Tussing Road, Reynoldsburg, OH 43068-9009
614-644-3153
Jack.Soma@com.state.oh.us

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From: Rocco Fana [mailto:rocco@phccohio.org]
Sent: Friday, April 03, 2015 10:15 AM
To: Soma, Jack
Subject: Booster Pumps

Jack

Hope your week has been going well. Thank you again for the Plumbing Code class and sitting on the OCILB/DOC Panel.

With things settling down, I can finally forward this to you…received this email about 2 weeks ago and wanted to get your feedback

"At the recent meeting that I attended, residential booster pumps came up. They plan to put a line in the code that dictates that a low pressure switch not only be installed (ok) but the homeowner be required to certify to the water dept. (EPA) every 12 months that it works. I don't think that it is the business of the BBS to dictate a relationship between the homeowner and their water dept. By including this in the code, they will be dictating that the water dept. keep records and enforce this."

"I don't think this should be addressed by the our code. The homeowner has an implied contract with the water department that they will comply with their rules or lose water (i.e. annual backflow tests). And I don't think we should tell other govt. agencies what to do. Not our business!"

Thanks again

Rocco

Rocco Fana, Jr., Executive Director
Plumbing-Heating-Cooling Contractors of Ohio
20040 Carolyn Ave / Rocky River, OH 44116

800-686-7422 / fax 216-393-0095
www.phccohio.org

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*

National Electrical Manufacturers Association

The Association of Electrical Equipment
and Medical Imaging Manufacturers
www.nema.org

April 10, 2015

Regina Hanshaw
Executive Secretary
Ohio Department of Commerce
Board of Building Standards
6606 Tussing Rd., Reynoldsburg, OH 43068

Via email: Regina.Hanshaw@com.state.oh.us

Dear Ms. Hanshaw,

On behalf of the Fire, Life Safety, Security and Emergency Communication Section of the National Electrical Manufacturers Association (NEMA), I am writing to express concerns regarding proposed changes to the Ohio Residential Code which would require both photoelectric and ionization smoke detecting devices in residential buildings.

NEMA member companies, along with the Fire Protection Research Foundation and Underwriters Laboratories, continue to conduct research and amend consensus standards to confront the new home furnishings typically used in today's dwellings. The results of the research will lead to new detection technologies and add new performance requirements to consensus product standards designed to enhance the early detection of smoldering fires and flaming fires while improving the nuisance alarm immunity without sacrificing the detection performance. For example, the National Fire Protection Association (NFPA) National Fire Alarm and Signaling Code (NFPA 72-2013) includes spacing requirements crafted to address a need for enhanced performance and reduction of unwanted alarms.

NEMA supports these requirements and believes that incorporation of parallel language into the legislation/regulation is a better path to the ends you desire.

While the proposed amendments to Section 314 of the Ohio Residential Code are well-intentioned, the measure could have the unintended consequence of eliminating future consumer choice in installing smoke detection technology that may provide advanced protection for them and their families. NEMA recommends that the legislation be amended to allow other investigated and listed single or multi-criteria smoke detection devices. We recommend replacing the current proposed language in Section 314.1 with the following:

> *On each level within each dwelling unit smoke alarms shall be single detection technology or multi-criteria technology listed by a nationally recognized testing laboratory (NRTL) to the applicable American National Standards Institute*

(ANSI)/Underwriters Laboratories (UL) product standards and installed according to National Fire Protection Association (NFPA) standards.

Adoption of this recommended amendment would ensure that advancements in smoke detection technology are not prohibited by Ohio statute or code.

In a paper presented by the US Fire Administration last month at the Smoke Alarm Summit sponsored by Vision 2020 and Johns Hopkins, the USFA stated that there were "Several new sensor types … identified that could provide improved fire detection." It would be unfortunate to preclude such new, advanced technology by a specific reference to current sensor types.

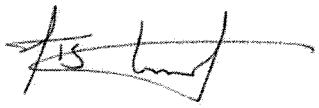
Adoption of this recommended amendment would assure that advancements in smoke detection technology are not precluded by Ohio's codes.

NEMA commends you for your attention to life safety and stands ready to work with you to advance this goal in a manner that protects future advancements in smoke detection technology. Please consider our industry as your best resource for fire and life safety product information. We are available at any time to consult with you on matters of life safety.

NEMA is the association of electrical equipment manufacturers, founded in 1926 and headquartered in Rosslyn, Virginia. It represents nearly 400 electrical and medical imaging manufacturers. Our combined industries account for more than 400,000 American jobs and more than 7,000 facilities across the U.S. Domestic production exceeds $117 billion per year. NEMA Fire, Life Safety, Security and Emergency Communication members manufacture fire, smoke, and carbon monoxide detection and warning equipment.

If you have any questions regarding NEMA's concerns please contact me at (703) 841-3245 or via email at jonathan.stewart@nema.org.

Respectfully,



Jonathan Stewart
Manager, Government Relations

Google

25 Massachusetts Ave., NW
Washington, DC 20001
Phone: 202-346-1100

April 14, 2015

Regina Hanshaw
Executive Secretary
Ohio Department of Commerce
Board of Building Standards
6606 Tussing Rd., Reynoldsburg, OH 43068

Dear Ms. Hanshaw:

On behalf of Google and Nest Labs, I am writing to express concerns regarding proposed changes to the Ohio Residential Code that would create multiple new technology requirements for smoke detecting devices in residential buildings. Google and Nest support strong safety standards that encourage innovation in home technologies, and believe that modifications to this proposed rule can strengthen consumer safety and encourage customer choice in the growing home technology market.

Proposed amendments to Section 314 of the Ohio Residential Code, while well-intentioned, could unfortunately limit consumer choice in advanced smoke detection technologies by requiring two specific technologies (photoelectric and ionization detection). To resolve this issue and allow innovative smoke detection technologies to be made available to Ohio families, we suggest replacing the proposed language to Section 314.1 with the below sentence:

On each level within each dwelling unit smoke alarms shall be single-criteria or multi-criteria detection technology listed by a nationally recognized testing laboratory (NRTL) to the applicable American National Standards Institute (ANSI)/Underwriters Laboratories (UL) product standards and installed according to National Fire Protection Association (NFPA) standards.

Adoption of this recommended amendment would ensure that advancements in smoke detection technology are not prohibited by Ohio statute or code. As companies working to deliver more advanced home safety devices to consumers, it would be unfortunate to unintentionally preclude innovations in detection technology by mandating specific current sensor types.

Google and Nest appreciate your work to strengthen home safety and are prepared to work with you to deliver more advanced home safety products to consumers in Ohio. Thank you for your consideration of this request, and I am happy to answer any questions you may have.

Sincerely,



Ron Barnes
Head of State Legislative Affairs

MONTGOMERY COUNTY
OHIO

COMMUNITY & ECONOMIC DEVELOPEMENT

BUILDING REGULATIONS DIVISION

451 West Third Street, 10th Floor
Dayton, Ohio 45422-1070
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COUNTY COMMISSIONERS
Judy Dodge
Dan Foley
Deborah A. Lieberman

COUNTY ADMINISTRATOR
Joseph P. Tuss

COMMUNITY & ECONOMIC DEVELOPEMENT DIRECTOR
Erik S. Collins

March 3, 2015 **WITH JULY 17, 2015 FOLLOW UP**

Ohio Board of Building Standards
6606 Tussing Road
PO Box 4009
Columbus, Ohio 43068-9009

Dear Sirs and Madams,

I have some concerns about upcoming Ohio Plumbing Code changes that I would like to share with the Board at their hearing on March 13, 2015.

Below is an excerpt of the changes proposed to Section 410 the Ohio Plumbing Code:

SECTION 410 DRINKING FOUNTAINS

410.1 Approval. Drinking fountains shall conform to ASME A112.19.1M*/CSA B45.2 or* ASME A112.19.2M or ASME A112.19.9M*/CSA B45.1* and water coolers shall conform to ARI 1010. Drinking fountains and water coolers shall conform to NSF 61, Section 9. Where water is served in restaurants, *or where bottled water coolers are provided in other occupancies,* drinking fountains shall not be required.

410.2 Minimum number. *Where drinking fountains are required, not fewer than two drinking fountains shall be provided. One drinking fountain shall comply with the requirements for people who use a wheelchair and one drinking fountain shall comply with the requirements for standing persons.*

Exception: *A single drinking fountain that complies with the requirements for people who use a wheelchair and standing persons shall be permitted to be substituted for two separate drinking fountains.*

410.2 *410.3* **Prohibited location**. Drinking fountains, water coolers and bottled water dispensers shall not be installed in public restrooms.

I believe this can be construed that under 410.1, if one provides a bottled water cooler, one could argue that drinking fountains are not required, and therefore, one does not have to abide by the provisions of 410.2 for high-low drinking fountains because they are only required "where drinking fountains are required". If that is truly the intent of the Board, so be it.

However, when I raised this issue with the Board a few years ago due to the apparent conflict between 410.1 and the provisions of OBC Chapter 11, which has language similar to 410.2, I was told that the provisions of Chapter 11 for accessible drinking fountains superseded plumbing code language to the extent that you must first provide the high-low drinking fountain, and the substitution of bottled water dispensers was only applicable if more than one drinking fountain was required, additional water service could be provided by the water coolers.

Additional questions arise if bottled water dispensers are allowed to substitute for accessible drinking fountains. By what measures does one address the accessibility of the bottled water dispenser? Does the spigot have to deliver water without a tight grasping or pinching action? Does the cup dispenser have to also provide cups without requiring tight grasping or pinching? Do the cups themselves have to be capable of being held without tight grasping and pinching? In a nutshell, if my hands are closed, fist-like, due to arthritis or some similar disability, can I operate that bottled water dispenser to quench my thirst?

Are we to require cut sheets for the dispensers at the time of plan review in order to evaluate the claims of usability by persons with disabilities? Because these are portable, plug-in devices, do we notate on the Certificate of Occupancy that they must be provided and filled as a condition of occupancy approval?

I think the Board should take this opportunity to be very clear about your intent, and not let such language persist that pits my interpretation against applicants time and time again.

Thank you for your consideration,

Maurice D. Wyckoff
Chief Building Official
Montgomery County Building Regulations

July 17, 2015

Follow up:

It has been pointed out to me by Debbie Ohler that the Board did review my March 3 comments, and indeed intends to allow bottled water coolers to be substituted for drinking fountains, and therefore does indeed intend to supersede any Chapter 11 requirements for high-low drinking fountains. Okay, I get that. I don't agree, but I get that.

In light of that, I would then recommend clarifying language in OBC Table 2902.1. I recommend the Board change the title of the column "Drinking Fountains" to "Provisions for Drinking Water". I also recommend a similar change to the title of Section 410.1 of the Plumbing Code. Then it should enumerate the three approved ways of providing drinking water; 1) via drinking fountains, 2) via water service at restaurants, or 3) via bottled water coolers.

I would also recommend that the Board clarify that bottled water coolers must still comply with ICC A117.1 Section 308, Reach Ranges, and Section 309, Operable Parts. This will ensure that the designers and installers locate the dispenser in an accessible location, and that the controls will allow persons with disabilities to use them.

One comment was made by Ms. Ohler suggested that part of the rationale for reducing the requirements for built in drinking fountains is that many people now carry around there own cups or water bottles. New York City addressed this in 2012 by allowing up to 50 percent of drinking fountains to be substituted by a permanent plumbing fixture designed for filling a container. See attached 2012 New York City Plumbing Code update #47.

Therefore, I think Ohio should also consider adding a similar provision allowing water filling stations as a fourth option for providing drinking water to the users of our buildings.

As a final note, the Board has authorized "bottled water coolers" which requires refrigerated water. Non-cooled "bottled water dispensers" are not an acceptable solution. If that is not the Board's intent, perhaps it should clarify that language too.

A good reference for definitions can be found at:
http://www.newair.com/articles/water-dispenser-basics

CONSTRUCTION CODES UPDATE PAGE

Matter in plain text is unchanged. Matter underlined is new. ~~Matter stricken through~~ is deleted. **Source:** Local Law 55 of 2010, effective July 1, 2012.

PLUMBING CODE

Insert between pages 26 and 27 of your bound volume.

Amend sections 410.1 and 410.2 and add a new section 410.3, to read as follows:

410.1 Approval. Drinking fountains shall conform to ASME A112.19.1M, ASME A112.19.2M or ASME A112.19.9M, and water coolers shall conform to ARI 1010. Drinking fountains and water coolers shall conform to NSF 61, Section 9. ~~Where water is served in restaurants, drinking fountains shall not be required. In other occupancies, where drinking fountains are required, bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required drinking fountains.~~ Drinking fountains required by Table 403.1 shall be equipped with both a bubbler faucet for drinking and a separate faucet designed for filling a container at least 10 inches (254 mm) in height.

410.2 ~~Prohibited location.~~ ~~Drinking fountains shall not be installed in public restrooms~~. **Required drinking fountains.** Where water is served in restaurants, drinking fountains shall not be required. In other occupancies, where drinking fountains are required, up to 50 percent of required drinking fountains conforming to Section 410.1 may be substituted by dedicated plumbing fixtures with faucets designed for filling a container at least 10 inches (254 mm) in height. Bottled water dispensers shall not be substituted for required drinking fountains.

410.3 Prohibited location. Drinking fountains and plumbing fixtures with faucets permitted to be substituted for required

March 13, 2015 Stakeholder Meeting
Ohio Building, Plumbing, Mechanical Codes and Residential Code of Ohio Rules

Attendees:

Ohio Building Code
Richard Nelson, Medina County
Timothy Payne, Medina County
Mike Long, Washington Twp
Craig Rauch, Washington Twp
Robert Kerst, BBA
Ronald K Bartley, SWO ASPE
Pete Baldauf, City of Vandalia
Mike Miller, City of Strongsville
Don Hutchinson, Montgomery County
Rick Lecher, Inspection Bureau Inc
Ron Schmitt, PHCC Ohio
Sophia Papadimos, Lt Governor
Keith Wagenknecht, OBOA
James Richardon, City of Columbus

Ohio Plumbing Code
James Richardson, City of Columbus
Ronald Bartley, SWO ASPE
Robert Schutz, City of Columbus
Mike Miller, City of Strongsville
Robert Kerst, BBA
Rodger Switzer, PHCC
Ronald Schmitt, PHCC

Ohio Mechanical Code and Residential Code of Ohio
Greg Wajcik, Simpson Strong Tie
Shane Vilasineekul, Simpson Strong Tie
Pete Baldauf, City of Vandalia
Dewayne Jenkins, City of Kettering
John Witherspoon Jr., Vectren
Mike Wilson, Vectren
Tim Curry, IAEI & Currey Electric
Mike Miller, City of Strongsville
Timothy Payne, Medina County
Rich Nelson, Medina County
James Richardson, City of Columbus

Robert Kerst, BBA

Issues/Questions Raised:

Ohio Building Code

Electrical

Richard Nelson asked about electrical connections of proposed exempt structures. Tim Payne also asked about marinas and asked for clarification for the scope of the exemption.

Incidental Inspection Program

Don Hutchinson presented the requirements from RC § 3783.03 and asked about compensation for inspectors and inquired whether the next step would contact his HR department since his department does have a collective bargaining.

Richard Nelson/Tim Payne supported the incidental program and stated that recognizes what is already happening for minor work inspections. 99% is going to furnaces and water heaters.

Above ground storage tanks

Craig Rauch commented on exemption for tanks in Chapter 1 vs the definition of tank and concern that may be missed by some departments. Also asked about back up power generators for cell towers.

Section 310.1, R-3

Richard Nelson asked about proposed dual technology smoke alarm in the RCO and whether should applied in for commercial residential buildings. Staff responded that if you go to RCO Chapters 1 -10 for R-3 then the smoke alarm language would apply.

Section 414.5

Pete Baldauf asked how this would apply to process equipment and electrical being a source of ignition for inside storage dispensing. Is the fire marshal going to look at it? Should we exempt sources of ignition? Stated pharmaceutical company that had two explosions because no one is looking at electrical connected to process equipment. Staff responded that design professional will ultimately be responsible and the process equipment exemption is not new.

Craig Rauch asked whether the fire code should be added to exception 2.

Section 716.5.4 (1:30)

Richard Nelson stated that language was unclear and suggested language instead " HVAC duct penetrations in walls shall have a fire resistance rating of 1 hour or less".

Section 907.2.3 Group E

Richard Nelson asked for the reasoning for reducing 50 to 30.

General Comments:
Keith Wagenknecht provided background information on the proposed incidental inspection.

Ohio Plumbing Code (2:00)

Definitions
Jim Richardson asked why reference tanks in the OPC when plumbing inspectors do not look at tanks and EPA's authority.

Rodger Sweitzer questioned inclusion of definitions for containment and isolation backflow devices from OEPA in OPC.

Sections 312.2/312.3 (2:16)
Jim Richardson stated that new language appeared redundant.

Section 312.11
Jim Richardson questioned the need to bring language into OPC because it is an OPEA requirement. OEPA should not be in the building.

Bob Schutz also stated the OEPA requirements should not be in OPC and explained history of coordination between OEPA and OPC.

Roger Sweitzer also opposed the inclusion of OEPA annual inspection should be removed.

Figure 405.3.1 (2:45)
Jim Richardson stated that the figure is helpful. Staff responded that the figure may conflict with ANSI accessibility standard.

Tim Curry stated that UL changed the listing for fountains to water coolers.

Section 413.1
Ron Schmitt asked about fixture requirements for kitchen sinks if there is a garbage disposal. Staff responded fixture requirement not affected.

Section 920 (3:02)
Bob Schutz stated that he supported the change and requested training on the method for inspectors and contractors.

PHCC representatives stated that training would be beneficial.

Ron Bartley stated that trainings should be open to designers as well.

General Comments

Section 419

Bob Schutz asked about the deletion for urinal screen.

Section 613.1

Jim Richardson questioned location of mixing valve at source as opposed to 1070 device. Happy with clarifications.

Ohio Mechanical Code

No comments

Residential Code of Ohio (3:09)

Swimming Pools

Tim Payne stated that the reference to NEC Article 680 should be in Chapter 34 rather than in Chapter 1.

Pete Baldauf stated his discussion with RCAC that the reference to Article 680 needed to be in the scoping to be able to go past the first disconnect.

Incidental Inspections

DeWayne Jenkins asked about the general consensus from earlier discussion. Staff summarized earlier discussions and questioned whether incidental inspections will be knowledgeable enough to competently perform these inspections.

Don Hutchinson again stated his concerns allowing incidental inspections and that the practice of building inspection is near and dear to him.

Ron Schmitt asked how a plumbing inspector cannot inspect the wiring on a water heater how can the plumbing contractor do the electric work. If the contractor can hook it up why can't we trust the plumbing inspector look at 3 wires and the ground.

Pete Baldauf asked whether this would be in accordance with Revised Code. Staff responded stated yes.

Section 302.1, Exception 6

Richard Nelson asked about the intent of the change. Stated that exception 2 is a full exception and questioned the need for additional exception.

Figure 502.2.2.3

Shane Vilasineekul stated that 2012 IRC corrected section – struck "as applicable" and then building officials of Washington State submitted code change proposal approved in the 2015 IRC allows for alternative detail that does not require access inside of the structure.

Section 2411

General discussion on CSST between attendees.