

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4101:1-7-01
Rule Type: Amendment
Rule Title/Tagline: Fire and smoke protection features.
Agency Name: Department of Commerce
Division: Board of Building Standards: Ohio Building Code
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I. Rule Summary

1. Is this a five year rule review? No
 - A. What is the rule's five year review date? 11/1/2022
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 3781.10(A)
5. What statute(s) does the rule implement or amplify? 3781.10, 3791.04, 3781.11
6. What are the reasons for proposing the rule?

This rule is proposed to incorporate errata from the 2015 International Building Code and to respond to a petition to change the code.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule prescribes the requirements for fire-resistance-rated wall and floor/ceiling assembly opening protection methods.

Changes proposed to Section 703.3 (item 5), Table 705 (footnote j), Sections 716.6.7.1, 722.1, and 722.5.1.2 are to incorporate ICC errata and to correct code references.

Changes are proposed in Section 706.2 to bring back the reference to NFPA 221 which recognizes different types of fire walls. The change proposed in Section 717.4 is in response to Petition 17-01 which prescribes a minimum size for fire damper access doors. Finally, the change in Section 717.5.3 (deleting exception 2) is intended to clarify the application of the newly added exception #6 which allows the elimination of smoke dampers under certain conditions.

- 8. Does the rule incorporate material by reference? Yes**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**
- The referenced standards are generally available to the affected parties. The referenced standards can easily be purchased from or viewed on websites of the standards making organization. The affected parties typically would be product manufacturers, design professionals, builders, and contractors. These parties would be expected to already own or have access to the standards in order to conduct their business of manufacturing, testing, designing, and installing the building systems and products.
- 10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

- 11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

0.00

Not applicable.

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not applicable.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

III. Common Sense Initiative (CSI) Questions

15. Was this rule filed with the Common Sense Initiative Office? Yes
16. Does this rule have an adverse impact on business? No
 - A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
 - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No