

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

Agency Name

Board of Building Standards: Ohio Building John Brant**Code**

Division

Contact

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4101:1-7-01

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Fire-resistance-rated construction.**RULE SUMMARY**

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

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **3781.10(A)**

5. Statute(s) the rule, as filed, amplifies or implements: **3781.10, 3781.11, 3791.04**

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

To update to the 2006 model codes published by ICC and to simplify the rule filing process by adopting one model code chapter per rule.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Prescribes the requirements for fire-resistance-rated construction. Changes were

made to the following sections: 702.1, 703.3, 704.5, 704.8.2, 706.1, 707.2, 712.4.1.2, 715.4.5.1, 715.4.5.4, 716.2.2, 716.5.4, 716.6.1, 716.6.2, 716.6.3, 717.2.6, 717.4.2, 717.5, 718.4, 719.1, 719.7, Table 720.1(3) and 721.2.1.4.3.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

The referenced standard(s) are generally available to the affected parties. The referenced standard(s) can be purchased from the standards making organization(s) by contacting the address listed in the rule which identifies the specific edition of the referenced standards. The affected parties typically would be product manufacturers and occasionally would be design professionals. These parties would be expected to already own the standards in order to conduct their business of manufacturing and testing the products that they market to building design professionals and building owners.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

It was infeasible for the agency to file the text electronically due to copyright issues with the standards making organizations. The standards are generally available.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Added a comment to the beginning of the rule referencing the user to the rule that identifies the specific editions of referenced standards.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the

scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0.00

This is a building design issue. It does not fiscally affect the board.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

It is estimated that this rule change would have no impact on the design costs of a building. Due to the variance in allowed building designs, it is nearly impossible to ascertain whether there would be an increase or decrease in cost to any building owner.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**