

**MEMORANDUM**

TO: Regina Hanshaw, Ohio Board of Building Standards

FROM: Meredith Rockwell, Regulatory Policy Advocate

DATE: October 31, 2012

RE: **CSI Review – Building Code Certifications (OAC 4101)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This package consists of 6 “new” rules and 56 rescinded rules. The new rules are the result of reorganization in the Ohio Building Code, and do not contain new regulation language. The Ohio Board of Building Standards completed this reorganization to add clarity by placing in one central location all provisions relating to building departments, personnel, boards of building appeals, and fire protection system designer certification requirements. The requirements contained in these rules are drawn directly from the ORC. The Board has determined the rescinded rules in this package are either duplicative, obsolete, or need to be reorganized into the new rules.

The new rules in the package relate to building department and personnel certification. Previously these requirements were sprinkled throughout the building code. Whenever a change was made to one of these rules, the regulated community would be required to purchase updates to the building code to have access to those changes. By placing the requirements elsewhere in the Ohio Administrative Code (i.e., outside of the building code), the Board feels that the regulated community will have free access to those sections, and will no longer have to purchase code

77 South High Street | 30th Floor | Columbus, Ohio 43215-6117
CSIOhio@governor.ohio.gov

updates just to see certification provisions.

The Board states in the BIA that the other portions of the new rules do not negatively impact the business community, since they do not contain any new or amended substantive changes increasing compliance costs. Furthermore, the Board states that these changes are necessary to provide consistent and predictable enforcement of the certification requirements. Fundamentally, the proposed rule package meets the spirit of CSI by streamlining rule sections and eliminating unnecessary regulatory language and requirements.

Recommendations

For the reasons stated above, the CSI Office has no recommendations for this rule package.

Conclusion

Based on its review of the proposed rule package, the CSI Office recommends the Board should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.

cc: Matt Close, Ohio Department of Commerce