



# Common Sense Initiative

Mike DeWine, *Governor*  
Jim Tressel, *Lt. Governor*

Joseph Baker, *Director*

## MEMORANDUM

**TO:** Regina Hanshaw, Ohio Board of Building Standards

**FROM:** Michael Bender, Business Advocate

**DATE:** June 13, 2025

**RE:** CSI Review – 2024 OBC, OMC & OPC Amendments (OAC 4101:1-1-01, 4101:1-2-01, 4101:1-3-01, 4101:1-4-01, 4101:1-5-01, 4101:1-9-01, 4101:1-10-01, 4101:1-11-01, 4101:1-13-01, 4101:1-17-01, 4101:1-19-01, 4101:1-29-01, 4101:1-30-01, 4101:1-31-01, 4101:1-34-01, 4101:1-35-01, 4101:2-1-01, 4101:2-4-01, 4101:2-6-01, 4101:2-9-01, 4101:2-11-01, 4101:2-13-01, 4101:2-15-01, 4101:3-1-01, 4101:3-3-01, 4101:3-4-01, 4101:3-5-01, 4101:3-6-01, 4101:3-7-01, and 4101:3-15-01)

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 Board as provided for in ORC 107.54.

### Analysis

This rule package consists of thirty amended rules proposed by the Ohio Board of Building Standards (Board). This rule package was submitted to the CSI Office on April 14, 2025, and the public comment period was held open through May 9, 2025. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on April 14, 2025.

OAC Division 4101:1 contains the rules that comprise the Ohio Building Code (OBC). The OBC rules in this package concern administration, definitions, classification of facilities based on occupancy and use, special detailed requirements based on occupancy and use, general building

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height and areas, fire protection and life safety systems, means of egress, accessibility for physically disabled individuals, energy efficiency, special inspections and tests, concrete, plumbing systems, elevators and conveying systems, special construction, existing structures, and referenced standards. OAC Division 4101:2 contains the rules that comprise the Ohio Mechanical Code (OMC). The OMC rules in this package concern administration, ventilation, duct systems, specific appliances, fireplaces, solid fuel-burning equipment, refrigeration, fuel oil piping and storage, and referenced standards. OAC Division 4101:3 contains the rules that comprise the Ohio Plumbing Code (OPC). The OPC rules in this package concern administration, general regulations, fixtures, faucets, fixture fittings, water heaters and related safety devices, water supply and distribution, sanitary drainage systems, and referenced standards. Several changes are proposed to the rules in this package, including amendments that add provisions for modular rooms, add provisions for alarm notification priorities based upon the emergency response plan developed by building owners, clarify that when plumbing fixtures are required for institutions of higher education that separate facilities shall be provided for each sex, add provisions for the use of glass fiber-reinforced polymer, incorporate Chapter 11 of the 2024 International Mechanical Code (IMC) in its entirety to address refrigerant code requirements, add language from the 2024 International Plumbing Code (IPC) for the use of a plastic pan for water heaters, and make various technical corrections.

During early stakeholder outreach, the Board received a petition on January 30, 2020, from the American Concrete Institute (ACI), the ACI Central Ohio Chapter, and the Ohio Concrete Association asking the Board to recognize the *ACI 440.11-22: Structural Concrete Building Reinforcing Internally with Glass Fiber Reinforced (GFRP) Polymer Bars* building code requirements. The Board originally denied this request but encourage the petitioners to resubmit it for consideration after the 2024 OBC was adopted in 2024. The petition was resubmitted on May 3, 2024, and approved by the Board at its meeting on May 31, 2024. On September 17, 2024, the Board received a petition from an individual requesting that the OMC be amended to allow the exception for piping in direct refrigerant systems to apply to all refrigerants. During its meeting on January 31, 2025, the Board approved the petition as well as the replacement of OMC Chapter 11 with 2024 IMC language regarding refrigerants. The Board then emailed stakeholders on February 12, 2025, to give them the opportunity to submit feedback on the proposed rules by February 26, 2025. Interested parties that were contacted included building department personnel, contractors, designers, and professional associations. One comment was submitted by an individual supporting the changes to OMC Chapter 11 and requesting the adoption of the newer editions of American Society of Heating, Refrigerating and Air-Conditioning Engineers Standards 15 and 34. The Board's Code Committee reviewed the comment and recommended approval of the propose for inclusion into the rules.

During the CSI public comment period, the Board received comments from the Ohio Department of Aging (ODA) and an architect affiliated with Moody Nolan. ODA asked for information related to adult day care facilities concerning minimum client-per-toilet ratios, storage for clients' medications

and toxic chemicals/materials, and minimum square footage. The Board provided appropriate responses to ODA's questions. The Moody Nolan commenter supported many of the proposed changes to the rules but had a few questions regarding the location of plumbing fixtures for public swimming pools. After further evaluating the rules, the commenter declared that he was satisfied with the rules as proposed and no longer had any questions.

The business community impacted by the rules includes building owners, design professionals, contractors, and building department personnel. The adverse impacts created by the rules include the time and costs associated with abiding by the standards for the construction, repair, alteration, and maintenance of buildings and structures and any appurtenances connected or attached to such buildings or structures, in addition to the requirements for the design, installation, maintenance, alteration, repair, relocation, replacement, addition to, use, and inspection of mechanical systems or plumbing systems within buildings. The Board notes that the rules are based on the 2021 editions of the IBC, IMC, and IPC that are promulgated by the International Code Council, with some provisions from the 2024 editions incorporated and with Ohio-specific changes also enacted. According to the Board, the proposed amendments recognize newer construction materials, address problems being encountered by building owners complying with current OMC requirements for refrigerants, and provide other clarifying changes to Ohio's building codes to aid in their application. The Board states that the adverse impacts to business are justified to implement statutory requirements and ensure that nonresidential buildings in Ohio are safe and sanitary.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that the Board should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.