

## **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Ohio Board of Building Standards will convene for a public hearing in accordance with Chapter 119. of the Revised Code, at 10:00 A.M., Friday, June 1, 2018 in Hearing Room #1, at 6606 Tussing Road, Reynoldsburg, Ohio, 43068. The purpose of the hearing is to solicit testimony on proposed actions taken on select rules of the Administrative Code, identified as Amendments Group XCV (95) pursuant to Chapters 119., 3781., 3791., and 4104. of the Revised Code.

Synopsis of the proposed rule changes:

### **PART A – OHIO BUILDING CODE RULES**

The Board proposes to amend the Ohio Administrative Code rules as follows: **4101:1-1-01** to clarify intent of exemption for signs, retaining walls, bridges, walkways or site stairs; add an exception for primitive transient lodging structures that are 400 sq. ft. or less in area; and modify charging paragraph to clarify intent of “Work exempt from approval”, **4101:1-2-01** to modify definitions to incorporate ICC errata and adds definitions for primitive transient lodging structure, semi-primitive lodging structure, and transient lodging structure, **4101:1-3-01** to incorporate ICC Errata; clarify that certain Boarding Houses and Congregate Living facilities with transient occupants would not be classified as Group R-1; add requirements for transient lodging structures; add pointer to SFM licensing requirements; add requirements for semi-primitive transient lodging structures that are 400 sq. ft. or smaller; add requirements for primitive or semi-primitive transient lodging structures that are greater than 400 sq. ft. in area; clarify the classification of Boarding Houses and Congregate Living facilities with 10 or fewer occupants; clarify the classification of Boarding Houses and Congregate Living facilities; clarify the classification of Boarding Houses and Congregate Living facilities with 16 or fewer occupants; clarify the classification of Boarding Houses and Congregate Living facilities; clarify that an owner-occupied lodging house with 5 or fewer guest rooms is Group R-3; clarify that some Group R-3 occupancies may use the RCO; and clarify the classification of Boarding Houses and Congregate Living facilities with more than 16 occupants, **4101:1-7-01** to incorporate ICC Errata; bring back the reference to NFPA 221 which recognizes cantilevered fire walls and tied fire walls; incorporate language from approved petition 17-01 prescribing damper access door requirements; and delete ICC Exception #2 as a result of broader new Ohio Exception #6 for smoke dampers, **4101:1-9-01** to incorporate provisions to promote fire/building official coordination; incorporate ICC Errata; and add language from approved petition 17-05 removing fire extinguisher exception 1.1 for Groups A, B and E and adds another option for Group E (exception 1.2 from 2018 IBC), **4101:1-10-01** to incorporate ICC Errata; and brings back the “Luminous Egress Path Markings” section, including the subsections, but clarifies that the markings are not mandatory, **4101:1-16-01** to incorporate ICC Errata and bring back reference to AWC WFCM, **4101:1-22-01** to delete requirement for certificate of

compliance; and to bring back reference to AISI S230 for townhouses, **4101:1-23-01** to bring back reference to AWC WFCM, **4101:1-25-01** to incorporate ICC Errata, **4101:1-26-01** to incorporate ICC Errata, **4101:1-34-01** to correct code references; renumber sections 3401.4 - 3401.6 to 3401.3 - 3401.5 and corrects the internal references to those sections due to incorrect section numbering in the original rule (missing Section 3401.3); add a new section which references ACI 562 for the design of concrete repairs and rehabilitation; clarify that newer existing buildings undergoing a proposed change of occupancy can be evaluated using the methodology found in Section 3412; bring in 2015 IEBC text for I-2 smoke compartments; add Group I-2 and category f from 2015 IEBC in Table 3412.6.8; add Category f from 2015 IEBC in Section 3412.6.8.1; bring in 2015 IEBC text for Group I-2 in Table 3412.6.9; bring in 2015 IEBC text for Group I-2 in Tables 3412.6.10 and 3412.6.11, and **4101:1-35-01** to update references to ACI, AWC, NFPA, and TMS standards.

### **PART B – OHIO MECHANICAL CODE RULES**

The Board proposes to amend the Ohio Administrative Code rules as follows: **4101:2-4-01** to incorporate ICC errata, **4101:2-5-01** to incorporate ICC errata and to make general editorial corrections, and **4101:2-6-01** to respond to petition 17-01 to prescribe damper access door requirements and to incorporate ICC errata.

### **PART C – OHIO PLUMBING CODE RULES**

The Board proposes to amend the Ohio Administrative Code rules as follows: **4101:3-3-01** to respond to petition 18-01 to clarify that pipe joints and fitting joints should not occur within an exterior foundation wall assembly and to incorporate ICC errata, **4101:3-6-01** to bring back and modify the previously deleted text regarding separation of building sewer and water service piping, and **4101:3-7-01** to respond to petition 18-01 to clarify that sanitary fitting joints should not occur within an exterior foundation wall assembly.

### **PART D – BOILER RULES**

To comply with the five year rule review requirement, the Board proposes to amend the Ohio Administrative Code rules as follows: **4101:4-3-01** to update all Sections of the ASME BPVC and the NBIC to the 2017 editions, to update the title of the ASME BPVC Section IX, to update ASME B31.1 to the 2014 edition, to update NFPA 85 to the 2015 edition, to update the NB-27 standard to Revision 1, to update the NB-263 standard to July 2017 edition, and to update the NB-371 standard to October 2016, Revision 8.1.1.0, **4101:4-7-01** to correct the fees referenced in the Revised Code, **4101:4-8-01** to clarify that the superintendent may issue a Certificate of Operation in an emergency situation when the boiler has already been inspected, **4101:4-9-01** to clarify that only routine boiler repairs that involve welding require a permit and inspection, and **4101:4-10-01** to add a requirement that an Ohio Registered Professional Engineer prepare and seal a Process Hazard Analysis (PHA). Remaining rules **4101:4-1-01, 4101:4-2-01, 4101:4-2-02, 4101:4-4-01, 4101:4-4-02, 4101:4-4-03, 4101:4-4-04, 4101:4-4-05, 4101:4-5-01, and 4101:4-6-01** are proposed to remain without change.

The full text of the public hearing draft containing the proposed rules can be viewed on the Board's website at (<http://www.com.ohio.gov/dico/bbs>). Electronic copies of the public hearing draft on compact disc will be mailed upon written request to the Ohio Board of Building Standards at P.O. Box 4009, 6606 Tussing Rd., Reynoldsburg, Ohio 43068.

The full text of the proposed rules were filed electronically with the Legislative Service Commission (LSC), the Joint Committee on Agency Rule Review (JCARR), and the Secretary of State as required in section 119.03 of the Revised Code. Prior to electronic filing of the rules, stakeholder meetings were held and electronic notification was provided to all stakeholders. The proposed rules and a Business Impact Analysis were posted and submitted to the Common Sense Initiative (CSI) Office. Additionally, the Clerks of the 88 County Commissioners were notified of the filings as required by statute.

The rule filing can be viewed on the Register of Ohio (<http://www.registerofohio.state.oh.us>).

**BOARD OF BUILDING STANDARDS**

Gerald O. Holland, Chairman

Regina S. Hanshaw, Executive Secretary