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Hearing Date: 11/15/2024

Today's Date: 11/26/2024

Agency: Board of Building Standards

Rule Number(s): 4101:10-1-01, 4101:10-2-01, 4101:10-3-01, 4101:10-4-01, 4101:10-4-02, 4101:10-5-01, 4101:10-6-01, 4101:10-7-01, 4101:10-8-01, 4101:10-9-01 (Industrialized Unit (IU) Rules), and 4101:7-1-01, 4101:7-1-02, 4101:7-2-01, 4101:7-3-01, 4101:7-3-02, 4101:7-3-03, 4101:7-3-04, 4101:7-4-01, 4101:7-5-01, 4101:7-6-01, 4101:7-7-01 (Certification Rules)

If no comments at the hearing, please check the box.

List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Scott Williams, Ohio Realtors, IU Rules generally
2. Tim Williams, Ohio Manufactured Homes Association, IU Rules generally
3. Josh Harmon, Ohio Code Enforcement Officials Association, Certification Rules generally
4. DeWayne Jenkins, SW Ohio Electrical Organization, Certification Rules generally and specifically 4101:7-3-01
5. Pete Baldauf, Inspection Bureau Inc, Certification Rules generally and specifically 4101:7-3-01
6. Dan Larkin, Larkin Electric, 4101:7-3-01
7. David Yates, City of Fairborn, Certification Rules generally and specifically 4101:7-3-01
8. Rick Dostal, Southeast Ohio Building Dept, Certification Rules generally
9. Nicholas Montan, East Central Ohio Building Authority, 4101:7-3-01
10. Paul Kowalczyk, City of Pepper Pike, Certification Rules generally and specifically 4101:7-3-01
11. Gaylord Poe, 4101:7-3-01
12. Jeff Caskey, 4101:7-3-01
13. Bruce Baker, 4101:7-3-01
14. Tim McClintock, NFPA, 4101:7-3-01
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Hearing Summary Report

Consolidated Summary of Comments Received

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

The Ohio Realtors submitted a letter in support of the proposed IU rules. During the public hearing, comments submitted by the Ohio Manufactured Homes Association (OMHA) addressed the IU program operations rather than requested specific changes to the rules. OMHA also submitted written questions requesting clarification of rules 4101:10-2-01, 4101:10-3-01, 4101:10-4-02, 4101:10-5-01 and 4101:10-9-01. The Board has already responded to OMHA comments regarding the IU program and is preparing a response to OMHA regarding the questions requesting clarification of the rules.

During public hearing Mr Jenkins, Mr. Baldauf, Mr. Larkin provided comment opposing the creation of the Level 2 residential electrical inspector certification in the Certification Rules (4101:7-3-01). Other than creation of Level 2 residential electrical inspector certification, Mr. Jenkins and Mr. Baldauf indicated support for the rule package. The Board left the record open for 7 days following the public hearing for any additional written comments to be submitted. During this time, Mr. Poe, Mr. Caskey, Mr. Baker and Mr. McClintock also submitted comments opposing the creation of Level 2 electrical inspector certification and Mr. Jenkins submitted additional written comments opposing Level 2 electrical inspector certification. During the public hearing, Mr. Harmon provided comment in support of the Certification Rules specifically related to the increase training opportunities. Mr. Dostal and Mr. Yates provided comment in support of the rules generally and specifically in support of the creation of the Level 2 residential electrical inspector certification. During the 7 days following the public hearing, Mr. Kowalczyk also submitted comments in support of the Certification Rules and the creation of the Level 2 electrical inspector certification. During public hearing, Mr. Montan submitted comments suggesting a compromise on the Level 2 residential electrical inspector by limiting the authority suggesting the Level 3 electrical safety inspector should inspect over 400 amps service, EVs and solar installations.

Hearing Summary Report

Incorporated Comments into Rule(s)

Indicate how comments received during the hearing process were incorporated into the rule(s). If no comments were incorporated, explain why not.

No changes were incorporated into the IU rules as the comments were in support of or focused on operational concerns rather than specific rule provisions.

The Board refiled rules 4101:7-1-02 and 4101:7-3-02 of the Certification Rules to narrow the authority of the Level 2 residential electrical inspector requiring homes with a service over 400 amps or a three-phase service be inspected by the Level 3 electrical safety inspector in response to comments submitted opposing the creation of the residential electrical inspector and the specific comment submitted by Nicholas Montan suggesting limiting the authority of the Level 2 residential electrical inspector as a compromise. No other changes were incorporated in the Certification rules as the Board determined the retention of the Level 2 residential electrical inspector certification provides important flexibility in staffing and training for residential building departments and the receipt of other comments submitted in support of the package and/or in support for retention of the Level 2 residential electrical inspector certification.