

BBS Newsletter



Bob Taft
Governor
Gerald O. Holland
Chairman

In Memoriam - William J. "Bill" Tangye



Recently named ICC CEO, Mr. William J. (Bill) Tangye, age 57, of Mountain Brook, died Saturday, June 01, 2002. The Funeral Mass was held at 10:00 am on Tuesday, June 4th, at St. Paul's Cathedral Catholic Church with burial at Ridout's Southern Heritage Cemetery in Pelham, Alabama. The family received friends at Ridout's Valley Chapel in Homewood. Mr. Tangye is survived by his wife, Elaine B. Tangye; three sons, James Cole Tangye, William Patrick Tangye (Susan) and Benjamin McKean Tangye

(Continued on page 8)

FEMA, ASCE Report on WTC

A federal report on the collapse of the World Trade Center focuses on preventing future hijackings rather than efforts to improve building safety. The study was written in conjunction with the Structural Engineering Institute of the American Society of Civil Engineers. Federal Emergency Management Agency (FEMA) recommends no changes in building codes but calls for new training to save lives of rescue workers in future terrorist attacks.

The best way to guard against another large scale building collapse is best accomplished by keeping hijackers off airplanes by applying resources to aviation and

other security measures rather than to hardening buildings against airplane impact

The study described the incredible devastation cause by the jet-fuel fires in the World Trade Center (WTC) Towers:

"As the burning jet fuel spread across several floors of both buildings, it ignited much of the buildings' contents, causing simultaneous fires across several floors of both buildings. ... The large quantity of jet fuel carried by each aircraft ignited upon impact into each building. A significant portion of this fuel was consumed immediately in the ensuing fireballs." The report states that the remaining fuel "is believed to have flowed down

INSIDE THIS ISSUE:

In the News in Ohio	2
Most Common Electrical Misses	3
New Safe Haven Law	6
ICC Certifications	6
BBS Calendar	10

SPECIAL POINTS OF INTEREST:

NAHB withdraws from NFPA 5000 development

REGULAR FEATURES:

Legally Speaking	4
Around the Code World	5
Getting Mechanical	5
Accessibility	7
Training News	9
Reader Feedback	9

Brant Receives Ohio IAIEI President's Award



Board of Building Standards Executive Secretary, John W. Brant,

received the President's Award at the April 2002 Annual Meeting of the Ohio Chapter of the International Association of Electrical Inspectors.

Mr. Brant was selected for his participation in and contributions to the Ohio Chapter of IAIEI.

He was recognized for his participation in the implementation of Ohio's first model-code-based Ohio

Basic Building Code, for development of legislation and implementation of rules for the certification of local boards of building appeals, for implementation of the certification program for building department personnel, and for overseeing the ongoing support of certified building departments and certified personnel through the

use of Board financial resources to support code education and training in Ohio. He has regularly provided legal and code seminars for many Ohio organizations. Mr. Brant, an attorney, came to the Board as Executive Secretary in 1979 and served until 1991. He returned as Executive Secretary in 1995 and currently serves in that position.



In the News Around Ohio

NAPOLEON - A local contractor "has seen what happens when homes aren't built to code", the Toledo Blade reports. "He has seen fires, foundation cracks, and floods."

As reported in the last edition of the *BBS NEWSLETTER*, a residential advisory committee was created by the state legislature and appointed by the Director of the Ohio Department of Commerce to recommend a residential building code that could be used in Ohio.

Lucas County chief building official, John Walters, a member of the Ohio Residential Advisory Committee, said he believes the creation of a statewide residential building code would help solve these problems

The deputy director of the Ohio Municipal League said his organization doesn't object to a code that would make homes safer but would oppose legislation that requires mandatory enforcement.

The executive director of the Ohio Home Builders Association said a statewide code would be a benefit to contractors who work in different jurisdictions.

David Ledvinka, a member of the Ohio Board of Building Standards and Executive Director of the Ohio Council of the National Institution of Building Sciences, said "Recommending the code isn't the tough part; it's getting it passed into law."

There have been ongoing efforts by the construction industry and the enforcement community during several sessions of the legislature to establish a statewide residential code.

LONDON - The 12th District Court of Appeals upheld the termination of a city building in-

pector.

After being fired on 4 June 1999, the inspector filed a lawsuit for wrongful termination, seeking punitive damages, compensatory damages, and reinstatement to his job.

Losing at the common pleas level, the inspector appealed but the appeals court agreed with the city.

The dispute began when the inspector (who performs zoning, building, and electrical inspections) refused to approve a street lighting project, passing the matter on to an electrical safety inspector. He was subsequently fired.

After the inspector was fired, the city entered into a contract with an engineering firm to handle inspections for the city. Later, an individual was hired to fill the position.

CANTON - The Stark County Building Department offices, located at 1727 Mahoning Rd. NE, are reported to be in a state of serious disrepair.

Gutters are loose, space is cramped, carpeting is worn out, shelving sag, duct tape patches doors, an air conditioner looks like it's ready to fall out of a window, lines of people stretch outside with construction season in the spring, the lobby fits only two people, paint is peeling off parts of the exterior, tires are stored in a work area, and a fire escape is used for smoking breaks, but the county can't afford to construct a new office for the Building Department.

The commissioners plan to place a sales tax on the November ballot in an attempt to generate funds to address the problems but the tax might not generate enough revenue.

TOLEDO - The president of Toledo City Council raised the issue of inspections in a last-ditch effort to save a 115-year-old building. Ques-

tions were raised about missing inspection notes used to declare the building a public hazard and a subject to demolition.

The president has stated that he repeatedly asked for a copy of the inspector's notes to determine how the building was inspected

It was reported that the department is still looking for the inspection report. The department has reported that a parapet wall has separated from the roof, floor joists have dangerously deteriorated and subsequently ordered repair or demolition within 10 days.

The criticism was based upon it was felt that the inspection was inadequate because the inspector did not visit all parts of the building.

The county commissioners voted to sell the property to an individual who plans to tear it down and use the space for another purpose.

COLUMBUS - Labor representatives lobbied county officials for stricter regulations on contractors. They cited use of illegal immigrants, child labor, and failure to pay state-mandated wages.

Franklin County commissioners, recently adopted "quality-contracting" rules and Columbus City Council had a first reading on its own version.

Under such rules, contractors must provide health insurance, pensions to employees, guarantee they meet training requirements, and must prove they comply with safety rules and workers' compensation laws.

There are some who believe there is evidence that when such rules are put in place union contractors usually enjoy a commanding edge in winning contracts.

COLUMBUS - The Ohio Supreme Court decided that the city of Canton

(Continued on page 8)

Most Common Electrical Items Missed in Plan Review

During a training class for State Electrical Safety Inspectors (ESI), held earlier this year, we asked the assembled ESIs to list those problems that they see in the field that are missed in plan review. After completing their lists of problems, they were summarized in tabular form as shown below.

The items were assigned a point value depending on the ranking each inspector gave each item. Then, the point values were totaled for each item that the inspectors listed. As can be seen below the top five most missed items are:

1. Grounding requirements on building electrical service
2. Missing exit or egress lighting

3. Providing restrike lighting
 4. Incorrect conductors or service conductors
 5. Incomplete fire alarms information or none provided
- Building departments should use this information to correct their plan review for electrical items that may be missed in their plan review process.



MOST COMMON ELECTRICAL ITEMS MISSED IN PLAN REVIEW																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Score	Rank
Ground Requirements on Services	1	1	1	1	1			3		2, 4	1	3, 4		1		98	1
Panel Schedule & Load Calculations	2	2														16	8
Roof Top Receptacle & Lighting	3	4														10	10
Disconnect Required for Signs	4															4	
Existing Electric & Panels	5															2	
Fire Alarms Not Complete or Not on Plans (incl. A-4)	6	6				1, 4					5	6				24	5
Exit or Egress Lighting Missing	7			4					2, 3	3	3, 4	1	4		3, 4	58	2
Wrong Size Conductors/Service Conductors		3			2	2		1			2	5				42	4
Location of Panels		5														2	
Emergency Remote Heads on Exterior of Building		7				3								3		12	9
Specification of Wiring Method Used		8		4								8		4		8	
Ductwork Over Panels & Gear			2													8	
Piping Over Panels & Gear			3													6	
H.V. Switch Gear Rooms & Egress			4													4	
L.V. Switch Gear Rooms & Egress			5													2	
Plan Approval 8 1/2 x 11 Akin to Back of Pack			6													0	
ADA Requirements (electrical)			7													0	
GFCI Requirements				2					4			7			2	20	7
Sprinklers in Electrical Rooms (Protection of Equip.)				3												6	
Emergency/Egress/Exit Req.-Battery or Gen/Occupancy				5												2	
Riser Diagrams Incorrect 90% of the Time					3		1						3			22	6
Complete Layout of Hazardous Locations							2							6		8	
Grouping of Disconnects								2								8	
Restrike Lighting									1			2	1	2	1	46	3
Bonding Gas Piping & Water Lines										1						10	10
Fixture Fastened to Ceiling													2			16	8
Sizing of Overcurrent Protection														5		2	



Legally Speaking — John Brant

On May 8, the Ohio Supreme Court rendered its decision in the case of *Canton v. Ohio*. This decision has major implications for the manufactured housing industry within the State of Ohio because cities can constitutionally limit the placement of such units within their geographical boundaries through zoning regulations. Justice Lundberg Stratton speaking for the court's majority (6-1) said that Section 3781.184 (C) & (D), "which attempts to limit the ability of political subdivisions to zone their communities as they see fit, strikes at the heart of municipal home rule: the orderly planning of a city."

During the 1980s there were numerous cases in Ohio that dealt with the right of a political subdivision to regulate the placing of manufactured housing units through zoning. To clarify the zoning situation was the major reason that S.B. 142 was enacted in 1999.

S. B. 142 consisted of two parts. First in paragraphs A and B of Section 3781.184, R.C., the General Assembly recognized the preemption that was established by the Federal government over manufactured housing in 1976 and said that the U. S. Department of Housing and Urban Development's regulations shall be the exclusive construction and safety standards for manufactured housing in this state. To achieve this recognition each unit must have a permanent label or tag affixed to it. The Board of Building Standards has recognized the General Assembly's legislative pronouncement by the adoption of Rule 4101:1-1-01.2 Exception 7.

Exception 7 basically recognizes the federal preemption of the regulation and inspection of manufactured housing.

Paragraphs C and D of Section 3781.184 forbid political subdivisions from barring manufactured homes from areas where other single-family homes were permitted by the local zoning provisions. The second part of the act which sought to limit the right of all political subdivisions to zone the placement of manufactured houses has now been declared unconstitutional as it relates to municipal corporations. The court did not specifically address the issue as it relates to county and township zoning.

In conclusion neither the Ohio Board of Building Standards nor a local political subdivision can regulate the construction of a manufactured home. The Supreme Court has upheld the General Assembly's recognition of the federal preemption of the regulation and inspection of manufactured homes, but declared unconstitutional the attempt to limit the power of a municipal corporation to zone manufactured homes from single family residential areas. What is not clear is did the Supreme Court also find unconstitutional the right of the General Assembly to place limitations on the right of counties and townships to zone manufactured homes. The most important part of the decision, however, is the Court's new test for what constitutes a general law for purposes of the home-rule. The Court established a four part test to determine whether a

statute is a general law. First, the court will look to see if a statute is part of a statewide and comprehensive legislative enactment. Second, the statute must apply to all parts of the state and operate uniformly through the state. Third, the statute must set forth police, sanitary, or similar regulations, rather than purport only to grant or limit legislative power of a municipal corporations to set forth police, sanitary, or similar regulations. Finally, the court said that the statute must prescribe a rule of conduct upon citizens generally.

In applying this test, the majority of the court found that R. C. 3781.184 (C) and (D) were not part of a system of uniform statewide regulation of manufactured housing because the statute did not operate uniformly throughout the state, and the statute only purported to limit the legislative power of municipal corporations to enact police, sanitary, or similar regulations. The court also found that the statute failed to prescribe a rule of conduct upon citizens generally. As a result, the limitations placed on the zoning powers of a municipal corporation were unconstitutional because the statute violated Section 3, Article XVIII of the Ohio Constitution. The court also concluded that R. C. 3781.184 (A) and (B) remain constitutional and that local governments do not have the authority to regulate the construction of manufactured homes.



Around the Code World with Mike Brady



WHO CALLS THE BOARD?

Of the many services provided by the Board of Building Standards, one of the most important is receiving and answering the thousands of questions on the building code we get each year. The Board's staff works diligently to researching and providing answers to questions from a broad spectrum of individuals including owners, design professionals, contractors, manufacturers, attorneys, building department personnel, the press and, yes, even politicians. Not only does this activity keep us hoping, it forces us to constantly educate ourselves and to reconcile

subtle and not so subtle differences in the code.

If we had to categorize the various types of phone calls, emails and letters we get each year, I guess there would be quite a number of them. Here are just a few:

1) Individuals want us to "overrule" the building official. This is not our function, nor is it within our authority. The building official has the final authority to interpret the code. If there is a difference of opinion, we always encourage the owner to work with the building official or to appeal to the Ohio Board of Building Appeals (OBBA) or to the local certified board of building appeals (BBA), if there is one. This relates to item

number 2.

- 2) Individuals want to schedule an appeal hearing with us. We have to inform them we are not the OBBA. We usually refer the caller to either the OBBA or to the local certified BBA.
- 3) Individuals want a building code "interpretation" for a particular project. This is not our function, nor is it within our authority. While, as individual staff members we can offer an opinion, we cannot speak for the Board for both practical and legal reasons (see Ohio Revised Code section 3781.10 for the duties of the Board). Also, we do not have perfect knowledge

(Continued on page 10)



Getting Mechanical - Debbie Ohler

WHAT'S SO SPECIAL ABOUT OHIO SPECIALS? In the last issue of the *BBS Newsletter*, I focused on the jurisdictional issues associated with boiler inspections and code enforcement. This article will, again, address an issue related to boilers and pressure vessels; the so-called "Ohio Special". There seems to be considerable misunderstanding in the engineering community and the boiler industry about exactly what is an "Ohio Special".

Looking at industry catalog cut sheets for boilers, you would likely conclude that the boiler manufacturing industry has defined an "Ohio Special" as those boilers that do not exceed 360 square feet of heating surface. This area threshold was derived based upon language in the Ohio Revised Code (ORC) section 4739.04, which states that a boiler of less than thirty horsepower (a horsepower being defined as 12 square feet of boiler heating surface) would be exempt from the requirement for

supervision of the boiler by a licensed steam engineer. Obviously, from an owner's perspective, fiscally the better choice when selecting a boiler would be a boiler that is exempted from the licensed steam engineer supervision requirement. At the request of owners, therefore, design engineers would historically specify boilers to meet this threshold. As a result, manufacturer's, over the years, have chosen to market

This is the legal definition of an "Ohio Special".

their products in this way and unfortunately, have incorrectly identified and advertised these boilers as "Ohio Specials".

The ORC does not mention the term "Ohio Special". However, a Board of Building Standards (BBS) rule, Ohio Administrative Code section 4101:4-1-01 (DD), defines an "Ohio Special" as "a boiler or unfired pressure vessel which

does not fully comply with code requirements, but has been approved for use in Ohio by special action of the board under section 4104.02 of the Revised Code or permitted for use by the board of building appeals under section 3781.19 of the Revised Code." This is the legal definition of an "Ohio Special". One of my primary responsibilities, as the Board's staff engineer, is to review the specifications, drawings, calculations, and testing reports for these unique non-code complying boilers and vessels proposed for use in Ohio. After reviewing the design documents, I make a recommendation to the Board and they make the decision as to whether to approve the boiler or vessel for use in Ohio. These vessels aren't very common. Most vessels used in Ohio meet the referenced ASME Boiler and Pressure Vessel standards and come complete with an identifying ASME stamp on the vessel. In contrast, the

(Continued on page 11)

Safe Haven For Newborns: a New Ohio Law

While it may not effect certified building departments, it is advisable to be aware of a new law in Ohio that your municipality may be faced with in the future.

What is "Safe havens for Newborns"?

Not all women who get pregnant are ready to raise a child. Sometimes they see no options except to abandon the baby. Safe Havens provides a new option. It allows a birth parent to leave a newborn infant (less than 72 hours old) with:

- A medical worker in a hospital;
- A medical worker at a fire department or other emergency service organization; or
- A peace officer at a law enforcement agency.

If the infant is left with a person at one of these places, and has not been abused, the parent will face no legal consequences for making

this choice.

Who can take a newborn to a Safe Haven?

The birth parent (mother or father) can take a child to a Safe Haven. The law provides protection from prosecution only for the child's parents.

Does the birth parent have to call before taking an infant to a Safe Haven?

No. A birth parent may take a newborn to a Safe Haven at any time until the child is 72 hours, or three days, old.

What information will the birth parent have to provide?

The birth parent is not required to provide any information, including his or her name. However, it would help the baby if the birth parent chose to provide basic health information. The birth parent will be offered a form to guide them in providing the most important health information.

What happens next?

If the baby needs medical attention, it will be provided. The professional staff person who accepts the baby will contact the county children services agency; and the baby will be placed in an adoptive home. There are many families who want to adopt a baby.

When a parent cannot care for an infant, leaving the baby at a Safe Haven may be the best choice for the child. If the birth parent is not sure about this decision, an adoption social worker can help by providing information on available options and services for birth parents and their babies. Information is also available by calling:

HELP ME GROW
1-800-755-4769.

Any birth parent who wants to raise a baby but doesn't know how, may also call the *Help Me Grow* hotline to get information about caring for and raising children.



ICC and Consolidation of Certification Services for Code Professionals

The International Code Council (ICC) announced plans to consolidate the certification services offered by or on behalf of the Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO), and Southern Building Code Congress International, Inc. (SBCCI). ICC plans to implement a single program under the auspices of the ICC to replace the testing and certification services that are currently separately offered by ICC and its statutory members.

The goal of the ICC Certification Program is to ensure the public health and safety through a system that measures ongoing knowledge

proficiency and professionalism within the profession, and to facilitate reciprocity and portability of credentials throughout the world.

The single program will build on ICC's Certified Building Officials (CBO) certification which is a credential for demonstrating an individual's expertise in administering a building department thereby protecting the public by regulating construction. The program will provide national and international recognition by offering one source for eligibility, testing and certification maintenance, as the Certified Building Official (CBO) program has done for decades.

While additional details describing the comprehensive nature of this future service will be developed in the coming months, an ICC certification task force with representation from BOCA, ICBO, and SBCCI agreed on several key points:

1. The single certification program will offer an assortment of options that are responsive to states, local jurisdictions and individual member needs. Categories will be discrete in the requirements for certification and represent code occupations within the code profession. ICC will begin issuing certifications

(Continued on page 7)



Making it Accessible - Jan Sokolnicki

THE OBC - What's Different for Accessibility?

AN OVERVIEW OF WHAT HASN'T CHANGED?

For those designers, contractors, and code enforcement professionals who were already familiar with the access provisions in Chapter 11 of the OBBC (and the related Americans With Disabilities Act Accessibility Guidelines—ADAAG—sections) for common and public use areas, functionally, nothing much has really changed. You will, however, find a much changed Chapter 11 in the 2002 OBC. The scoping provisions (what has to comply) that you had to search so hard for in ADAAG, are now listed in Chapter 11 much like other code chapters. The standard we use to determine the compliance criteria for public and common use areas remains the ADAAG. To assure everyone uses the proper version, we've

added, by rule, the US Department of Justice website address to Chapter 35 (section 3501.3, <http://www.usdoj.gov/crt/ada/stdspdf.htm>, this is where you can download a free, correct version of the Guidelines).

The other thing that hasn't changed, is that building departments still do not enforce the Americans with Disabilities Act (known as the "ADA"). In Ohio, building departments, enforce the OBC's accessibility provisions located in Chapter 11.

WHAT HAS CHANGED?

Where four or more dwellings, used as residences, occur in a *structure* (apartments, townhouses, condominiums, etc.) and the dwellings are not exempted (see the exceptions in Chapter 11, similar to the exceptions in the old code), the interior of the units must comply with the Type-A or Type-B requirements in ICC/ANSI A117.1-98.

Type-A units are required in R-2 buildings with more than 20 units. Two percent (2%) of the units must be designed to meet the Type-A criteria (with details similar to ADAAG accessible features rather than the minimal, adaptable features we were familiar with in the Fair Housing Act Guidelines—FHAG).

In addition to any required Type-A units, other dwellings (where the FHAG units used to be required in the OBBC) must be Type-B units. The difference between the (OBBC) old FHAG requirements and the Type-B criteria is subtle but distinctive:

- Expanded detail and conditions allowed for the path through the unit, also, the path is not allowed through baths, closets, etc.
- Threshold height limited to ½" max. (FHAG ¾")
- Additional limitations, by ref-

(Continued on page 8)

Consolidation of Certification Services

(Continued from page 6)

based on the ICC exams by August 2002. Examinations offered by other vendors and determined to be comparable will be recognized for a limited period of time.

2. Transition guidelines will ensure that existing statutory member certifications, which are considered to be current, will be accepted in the new program.

Individuals who have renewed/maintained current certification under the BOCA National Codes, SBCCI Standard Codes

or ICBO Uniform Codes will be brought into the program by January 2003 as ICC "legacy code" certification holders. Certificate holders must comply with ICC renewal requirements by July 2004. Certificates achieved by passing exams that are not considered equivalent to the ICC exams will denote the "legacy code" that is the basis for the certification.

Individuals who have not maintained their certifications will be held in the ICC

system as inactive. "Catch up" provisions, to be determined, will be available for six years. After six years, those certifications will be dropped from the database.

Individuals who have earned certifications under the International Codes in the last three years will renew their certifications when they expire and will receive ICC certificates. The renewals will be processed under ICC requirements to be developed covering con-

(Continued on page 11)

News In Ohio (cont.)

(Continued from page 2)

can bar manufactured homes from its city limits.

It decided that part of a 1998 state law that regulated trailer parks is unconstitutional because it infringed on the Ohio Constitution's provisions that give municipalities exclusive jurisdiction to make their own governmental decisions. In 1998, Canton amended its city code to prohibit manufactured homes in the city but the Ohio Legislature enacted a law that prohibited municipalities from stopping manufactured homes from being placed in areas where single-family homes were permitted.

The only exception allowed land-owners to prohibit manufactured homes through deed restrictions.

In its decision, the Supreme Court further established a four-prong test to determine if a state statute is a general law.

COLUMBUS—Franklin County court blasts the Ohio School Facilities Commission contract process.

Common Pleas Judge Jennifer L. Brunner ordered the state and a Darke County school district in, in a 68-page opinion, to cancel a construction contract and either award the contract to the lowest bidder or rebid the work.

The Ohio School Facility Commission (OSFC) Director said Monday that OSFC was working with Attorney General Betty D. Montgomery's office to decide if an appeal would be filed.

Senator Michael Shoemaker (D-Bourneville), a non-voting OSFC member has scheduled a news conference for Tuesday to discuss the lawsuit.

The Court found that the OSFC

(Continued on page 11)

NAHB Withdraws from NFPA 5000

On April 17th, the National Association of Homebuilders (NAHB) formally withdrew from the development work of the new NFPA 5000 Building Code.

In a letter to National Fire Protection Association (NFPA) President and Chief Executive Officer, George D. Miller, NAHB questioned the benefit to public health and safety of developing a second set of national building codes to compete directly with the International Code Council's family of codes.

It was noted that NAHB policy supports the concept of a single coordinated set of national model building codes that includes housing affordability as a major determinant in its development.

Further, it expressed concern that the critical issue of housing affordability is being ignored in favor of property protection in the development of NFPA 5000.

For these reasons, NAHB resigned its membership from the NFPA Technical Committees responsible for development of NFPA 5000. This action is limited to NFPA 5000. NAHB plans to continue its current level of participation in the other NFPA codes and standards. If you have any questions regarding this action, please contact Ed Sutton of NAHB staff (800-368-5242,  or esutton@nahb.com).

NOTE: As of this printing, and after a quick check of the NFPA and NHBA websites, there is no NFPA or NAHB web posting of this development. Stay tuned.

In Memoriam - William J. "Bill" Tangye

(Continued from page 1)

(Audrey); daughter, Cayce Belle Tangye; mother, LaRue McKean; sister, Jeri McMillan. Mr. Tangye earned his BS in Civil Engineering from California Polytechnical Institute in 1967. He was a member of NWTF. He served as the President of the International Code Council, CEO of the Southern Building Code Congress International, and was appointed by United States President Ronald Reagan to the Architectural and Transportation Barriers Compliance Board in July '85. The family requests memorials be sent to the William J. Tangye Scholarship Fund at Southern Building Code Congress International, 900 Montclair Road, Birmingham, Alabama 35213 or to the Lance Armstrong Foundation (www.laf.org).

Accessibility

(Continued from page 7)

erence to ANSI sect. 404

- Operable devices required to be accessible
- Clear floor space required adjacent to laundry appliances
- Expanded detail and conditions provided for bathrooms – listed in 2 options
- Lavatory requirements to be adaptable
- Additional detail/requirements for kitchens.

We are planning to release a BBS MEMO in a question answer format soon that will cover just accessibility issues. The items that will be covered will be based on the greatest problems areas, and questions we've received from you and others over the past year.



Training News—Billy Phillips



BOARD HELD TRAINING ON NEW CODES AND STANDARDS TO CERTIFIED BUILDING DEPARTMENTS.

The Board of Building Standards has again assembled important codes and standards which have already been distributed to over half of the 228 certified building departments throughout the State. Steve Regoli of the Board staff provided two hours of training on the codes and standards to representatives of each certified building departments attending a session. The training and publication distribution included the following technical documents listed below:

1. OHIO BUILDING CODE 2002 VOL. 1 & 2
2. OBC/OBBC CHAPTER ONE COMPARISON TABLES
3. OVERVIEW OF THE OHIO BUILDING CODE
4. 2000 IBC COMMENTARY VOL. 1 & 2
5. 2002 NFPA-70 NEC/ HANDBOOK

6. 2002 NEC ANALYSIS OF CHANGES
7. ASHRAE 90.1-1999(IP)
8. ASHRAE 90.1-1999 USER'S MANUAL

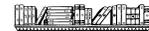


9. NFPA 13 HANDBOOK
10. NFPA 72 HANDBOOK
11. 2000 INTERNATIONAL ENERGY CONSERVATION CODE
12. 2000 INTERNATIONAL FUEL GAS CODE
13. 2000 INTERNATIONAL RESIDENTIAL CODE
14. ASCE 7 - MINIMUM DESIGN LOADS 1998
15. SEISMIC DESIGN PARAMETERS CD V3.10

16. ASCE 24 - FLOOD RESISTANCE DESIGN & CONSTRUCTION
17. ANSI A117.1 - GUIDELINES FOR ACCESSIBLE & USEABLE BUILDING & FACILITIES
18. CURRENT ADAAG
19. IRC, IFGC, & IECC CODE TABS

The technical documents were purchased by BBS and one set is being distributed, **AT NO COST**, to each certified building department that attends one of the scheduled meetings. The Board was able to secure an average discount of over 45% under list price. The total package cost, if purchased individually, would cost approximately \$1,200.00. The building department 3% assessment fund has been used to purchase these technical documents.

A make-up class will be scheduled in the future for those departments whose building officials were not able to attend on the initial training dates.



Please send us any comments or questions you would like to have answered by the Board or its staff in an upcoming issue.



SPECIAL OFFER:

Now available on the BBS Web Site are all documents formerly available only on the BBS FaxBack Service. Got to <http://www.com.state.oh.us/ODOC/dic/dicbbsfaxback.htm> to get all the documents, forms, BBSMemos, opinions, etc., through the new BBS Web Document Catalogue!

Reader Comment Form

Information provided on the BBS Web Catalogue:	Was the training on codes & standards and the documents you received helpful? (See above) Send us your comments.
<input type="checkbox"/> Great	<input type="checkbox"/> Yes
<input type="checkbox"/> O.K.	<input type="checkbox"/> No
<input type="checkbox"/> It was a good try but I'll stay with the FaxBack Service.	
BBS has little to do with publishing of the codes but wants to know: have you had problems?	Have an idea for an article or would like to submit an article (fill out comment section with idea)?
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No

Name _____

Address _____

Phone _____

Ohio Board of Building Standards

6606 Tussing Road Phone: 614-644-2613
 P.O. Box 4009 Fax: 614-644-3147
 Reynoldsburg, Ohio 43068-9009

Comments and suggestions:

Board Calendar—FY 2002

JUNE 2002						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

- 3 June—ESI exam administered; BBS standards distribution/training.**
- 5 June—BBS standards distribution/training.**
- 28 June—Board of Building Standards Conference Meeting.**
- 30 June—Last day to submit construction documents using the OBBC for code compliance.**

JULY 2002						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- 1 July—OBC, OMC, OPC only applicable codes to be used for compliance in Ohio.**
- 4 July—Independence Day.**

AUGUST 2002						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

- 9 August—Board of Building Standards Conference Meeting.**

Around the Code World

(Continued from page 5)

- of the situation. It is not possible or practical, for example, to look at a full set of plans or photos while we try to address their concerns (**Note:** This is not an invitation to send us plans! We don't do plan examinations). Sometimes, this type of request is followed by the request described in item # 4.
- 4) Other individuals want an "interpretation" concerning the same problems for the same projects described in item number 3. This time, the situation is portrayed a little differently than the previous persons described. These individuals are usually on the "opposite side of the fence" and they sometimes consciously or unconsciously describe the situation in a way that is designed to extract a different answer. Sometimes this goes undiscovered because a different staff member receives this request.
 - 5) Individuals request an "interpretation" from a different

staff member because it turns out they didn't get the kind of answer they wanted from another staff member. Sometimes people "shop for answers" until they get the one they like.

- 6) Product sales reps request that we call particular building departments to "clear the way" for the introduction and acceptance of their particular products or materials. The typical answer is: If the product or material is covered by the code or by a referenced standard and is listed or labeled for its particular use, then appropriate documentation should be submitted with the construction documents to the building department.
- 7) Individuals representing clients want us to find out what the building code requirements for stair guards were in 1963 or 1989. It is our job at this point to discover not the date of construction, but the date the plans were submitted to the building department for approval. This is because the code edition existing

on the date of submittal is what regulates the design and construction of these projects. Since the code can sometimes change between these two dates, the answer can have a profound effect on the outcome of the case.

- 8) Individuals want us to "do something" about shoddy work on their homes. We usually try to establish whether or not their dwellings are covered by OBBS rules and, if not, to refer them to their local building departments for answers.
- 9) Individuals tell us they received a "building permit," but inspectors stopped their jobs because they didn't have building permits. After asking some questions (and usually, after making a few phone calls), we find out the "building permits" were issued by the local zoning department. To make matters worse, the local zoning department is representing itself as a "building department." We often have to inform the individual that what

(Continued on page 12)

News In Ohio (cont.)

(Continued from page 8)

director had no authority to approve contracts on behalf of the OSFC and that the state has never had a school construction contract approved by the voting members of the OSFC as required by law. The law requires the affirmative vote of two members for approval of any action taken by the commission.

There are three voting members (the director of Administrative Services, the director of the Office of Budget and Management, and the superintendent of public instruction or a designee) and four non-voting General Assembly members.

The decision stated that "the defect in the approval process by the OSFC is so substantial that the basic integrity of the OSFC and its operations are threatened... Nearly two billion dollars of public money have been distributed through more than 1,700 contracts for the construction and renovation of schools throughout the state of Ohio, not one of which has been approved by the vote of the commission. The final word on all of these contracts has lain with one individual, who is not a public officer, has not taken an oath of office, nor is bonded."

The OSFC Director downplayed suggestions that the court ruling would jeopardize the entire OSFC program and the Governor's \$10 billion initiative. He said there have been less than 10 contracts in about 1,800 that did not go to the lowest bidder.

We will endeavor to update you on this decision if the OSFC decides to file an appeal of the ruling.



Consolidation of Certification Services

(Continued from page 7)

tinuing education, registration, and fees.

3. The certification program will be overseen by the ICC Board for International Professional Standards (BIPS), and its expert committees with input from user advisory groups.
4. An International Registry of Certified Professionals will be created and posted on ICC's website. This will enable current certified professionals a means of obtaining reciprocity and recognition in jurisdictions across the country.

The ICC Certification Program builds on the one hundred ninety

years of collective experience the ICC's statutory members have in providing professional certification programs and offers verification of continued commitment to protect the public health, safety and welfare by regulating construction. Offering and maintaining a comprehensive certification program demonstrates a firm commitment to the public, and to the code enforcement profession. The International Code Council is dedicated to continue a program that has such an important positive impact on professionalism in the code enforcement profession and the preservation of the public health, safety and welfare.



Getting Mechanical

(Continued from page 5)

"Ohio Special" projects are pressure vessels that are typically used in highly specialized, sometimes proprietary, industrial manufacturing processes such as high-pressure isostatic pressing. These vessels are, generally, very unique in their design. They do not qualify for the ASME stamp because of some unique feature that does not comply with code. In most cases, the manufacturer of the vessel has specified a material that has not yet been recognized or approved by ASME for use. Other common reasons for an "Ohio Special" approval have been alternate testing methods, new innovative design technologies that haven't been introduced into the code yet, or re-rating the vessel for a higher operating pressure. After the Board has approved the use of the vessel, the manufacturer is required to stamp the vessel with an "Ohio Special" stamp.

The misunderstandings are clearly a

result of one term used in two different ways. One definition is a legally adopted definition and the other has evolved over time and has become an acceptable industry term.

House Bill 428, which recently passed in both the Ohio House of Representatives and the Ohio Senate, will undoubtedly cause this issue to be a topic of industry discussion again. As part of the bill, ORC Chapter 4739 relating to steam engineers and boiler operators will be repealed and some of the existing 4739 language will be amended and merged into the chapter of the ORC that addresses boilers (ORC 4104). Hopefully, these proposed changes in the legislation will cause the industry to take a renewed perspective on how they choose to advertise their products. My desire would be for them to use a marketing term other than "Ohio Special".



Around The Code World

(Continued from page 10)

they actually have is a zoning permit, which is not a substitute for the required approval from a certified building department.

- 10) Individuals tells us building officials (or worse, building inspectors) have given them “verbal” orders to make certain changes, but refuse to give them written orders. At this point, we usually call the building departments to try to rectify the situation. Sections 113 and 114 of the OBC require that all orders be in writing.
- 11) Individuals inform us they have a correction letter from their local fire department requiring them to make changes to their plans. We discover the fire department is using non-certified personnel to do sprinkler plan examinations and then we find out it’s “okay”

with the local building department because their plan examiner “doesn’t do sprinkler plans.” Can anyone guess what’s wrong with this picture?

- 12) Individuals want to know what the code says about exit signs. Some happen to be registered design professionals, so we ask them if they have a copy of the building code in their offices. They often reply: “No, but we might have an old BOCA code lying around here somewhere.” If you’re going to be in the game, know the rules.

These examples are not intended to convey the impression that all our inquiries are from persons with nefarious intent or that ignorance reigns in the design and enforcement communities. The truth is that most of the phone calls and letters we receive are

based on legitimate issues and we do our best to answer each of them. We sometimes can’t get the answer right away and, in these cases, we research the issues and get back to that person as soon as possible. The board staff members also consult with each other on an almost continuous basis, not only to get information, but also to maintain consistency in our answers to the public. We are not the only source for answers to your questions. Other good sources include BOCA and many of their publications including their commentaries and interpretations. Also, the ICC publishes the results of their code hearings and the reasons why code changes were approved. If you want to know the reasons or intent behind certain requirements in the code, these documents are



Ohio Board of Building

6606 Tussing Road
P.O. Box 4009

Reynoldsburg, Ohio 43068-9009

Phone: 614-644-2613

Fax: 614-644-3147

Email: dic.bbs@com.state.oh.us

*Using Technology to Support
the Enforcement and Building
Communities.*

Mailing Label Here:

WE'RE ON THE WEB AT:

[http://www.com.state.oh.us/
ODOC/dic/dicbbs.htm](http://www.com.state.oh.us/ODOC/dic/dicbbs.htm)