



Bob Taft
Governor
Gerald O. Holland
Chairman



Governor Taft Proclaims Building Safety Week

Governor Bob Taft recently proclaimed April 4–10, 2004 “Building Safety Week”. Building Safety Week, which was first observed in 1980, is sponsored by the International Code Council Foundation (ICCF). This is an opportunity to educate our communities and to promote the use, enforcement, and understanding of building codes to safeguard the public.

The importance of regulation and building codes enforcement is often overlooked until a tragedy occurs. By inspecting buildings during and after construction, code officials across Ohio help to ensure that buildings are safe, sound, and acces-

sible places to live, work, and play.

The first building code in the US, established in 1625, addressed fire safety and specified materials for roof coverings. For instance, in 1630, Boston outlawed chimneys made with wood and thatch roofs. In the late 1770s George Washington recommended that height and area limitations be imposed on wood frame buildings in his plans for the District of Columbia. In 1788, the first known formal building code was written in the United States (in German) in Old Salem, (now Winston-Salem) North Carolina.

The Ohio legislature enacted the first building code in the State of Ohio in 1911—General Code

Chapter 12600.

In 1865, New Orleans was the first city to enact a law requiring inspections of public places.

The National Board of Fire Underwriters published its Recommended National Building Code in 1905. In 1915, the world's first building safety code organization was established to provide a forum for exchange of ideas regarding building safety and construction regulations. The Ohio Board of Building Standards was established in 1921 to approve alternate construction methods and equipment. In 1955, the Board of Building Standards was given authority to adopt a statewide building code to cover all commercial building construction in the state.



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In the News Around Ohio



BOWLING GREEN - There is a new residential building code for Wood County; changes will be uniform throughout north-west Ohio.

The executive vice president of the Toledo Home Builders Association indicated that home builders are in favor of it and like the consistency.

Wood County commissioners held public hearings on amendments to the building regulations that took effect July 1. Lucas County held similar hearings on June 1 and June 8.

The building official in Wood County said the building code applies to 1-, 2-, and 3-family dwellings and is based upon the 2003 ICC International Residential Building Code.

The Ohio Building Officials Association holds hearings to modify this model code to conform to the geology and climate of Ohio.

While Ohio mandates and regulates commercial and industrial buildings, municipalities may choose whether to regulate residential buildings.

BOWLING GREEN - Building official, Mike Billmaier, has presented county commissioners with a \$22,000 proposal that would allow his department to redesign its Web site to permit users to view inspection reports via computer.

Currently, users make phone calls to the department to check project status. The department hopes to enable inspectors to input inspection results electronically from the job site.

The proposed Web site could

also allow users to download and complete permit applications.

CLEVELAND—Building inspectors have identified 2,550 vacant buildings inside the Cleveland city limits. The city indicates the problem is probably far worse, because the city doesn't keep records of vacant homes.

Vacant buildings are a problem because they can attract vagrants and criminals which can effect property values. Building officials say they are limited in what they can do since many of these structures are wrapped up in debt, legal problems, or the owner cannot be determined. It is reported that the city demolished two hundred forty seven buildings in 2003, two hundred ninety seven in 2002, and four hundred eight in 2001. Nearly four thousand nine hundred buildings and garages have been boarded up during that same time period.

The city learns of abandoned homes mainly from complaints and also from building inspectors.

The Building Department is less and less able to keep up with this load because thirty eight percent of the city's building inspectors were laid off at the end of 2003 because of budget cuts. Cleveland spent \$1.6 million on demolition and \$763,000 more securing vacant homes in 2003.

CINCINNATI—In Cincinnati's northern suburbs, the huge growth in construction is conflicting with counties' abilities to keep up with the work load. As a result, many families are moving into homes that have never received a certificate of occupancy. This problem is often ex-

perienced in other high-growth areas of the country.

Clermont and Warren county and surrounding township officials acknowledge that backlogs in issuing certificates of occupancy extend back several years. There is a backlog of approximately seven hundred fifty homes built after 1993 in Butler County that don't have certificates of occupancy.

Butler County officials issue fines to builders who fail to obtain the certificates. Repeat offenders may be prosecuted. Since April, four builders have been fined \$500 each for permitting residents to occupy homes without a certificate of occupancy.

SAMARIA—Co-owners of a popular Monroe Township restaurant say they're about ready to end their effort to open a small restaurant in rural Bedford Township.

The owners have been dealing with Bedford Township officials. The owners want to open their 60-seat restaurant immediately and the township wants them to comply with regulations that other businesses must meet.

Township officials say they are not trying to stop the new restaurant from opening. When the township discovered that the owners had paved about 6,000 square feet of the parking lot rather than 2,500 square feet without a permit, township officials notified the county drainage commission about drainage issues from the much enlarged area of paving. Without this approval the owners cannot open the restaurant. That delay is costing the owners in rent and other costs that may lead to the end of efforts to open the restaurant.





Getting Mechanical—Debbie Ohler, P.E.

Mechanical Code Update '05

As mentioned in my column in the March edition of the BBS Newsletter, the Board staff has been very busy reviewing the 2003 International family of codes for adoption here in Ohio. Compared to the update last cycle, this update process has been relatively simple...in part, because the State Fire Marshal is now proposing to adopt the International Fire Code. The adoption of the IFC will, in theory, allow for better coordination of the codes. The BBS no longer has the need to bring in language to supplement the building and mechanical codes...when necessary, it can simply refer to the fire prevention code, as adopted by the State Fire Marshal's office.

As promised, this article will focus on the OMC technical updates proposed for adoption on January 1, 2005. The following changes are mostly a summary of the changes that occurred at the national level between the 2000 IMC (with the 2001 supplement) and the 2003 IMC:

- Adds definitions of "absorption system", "hydrogen generating appliance", "plenum", "portable fuel cell appliance", and "stationary fuel cell power plant".
- Removes definition of "exhaust air".
- Changes definition of "unusually tight construction".
- Changes the term "automotive service stations" to "automotive motor-fuel-dispensing facilities".
- Adds requirements for hydrogen generating and refueling operations.
- Adds requirements for shield plates for protection of pipe

against physical damage.

- Adds requirements for permanent ladders used for access to equipment on roofs or elevated structures.
- Clarifies that portable space heaters are not permitted as the method of maintaining the minimum indoor temperature requirement of 68 °F for interior habitable spaces.
- Requires an adjustment of heating and cooling load calculations in accordance with the *ASHRAE HVAC Systems and Equipment Handbook* when utilizing energy recovery systems.
- Requires that outdoor exhaust openings be located at or above the design flood elevation for structures located in a flood hazard area.
- Brings in existing building code language regarding requirements for natural ventilation.
- Adds outdoor ventilation air rate categories for shower rooms and nail salons.
- Changes the minimum ventilation rate in an enclosed parking garage from 5 cfm/person to 0.05 cfm/sq ft of floor area with the system still being capable of producing a rate of 1.5 cfm/ sq ft of floor area.
- Brings in language from the IFC regarding Valve-regulated lead-acid batteries.
- Raises the hazardous material exhaust ventilation exhaust location from within 6" of the floor to within 12" of the floor.
- Adds a clothes dryer exhaust exception for listed condensing clothes dryers.
- Prohibits any damper or similar obstructing device from being installed in clothes dryer exhaust.
- Clarifies that Type I grease ducts shall be independent of other exhaust systems.

- Adds additional requirements for Type I hood make up air ducts.
- Clarifies that Type I grease ducts shall have a minimum clearance of 3" to noncombustible construction and to gypsum wallboard attached to noncombustible construction.
- Clarifies that Type I grease ducts within an enclosure shall have a minimum clearance of 18" to the interior surface of a combustible enclosure and 6" to the interior surface of enclosures of noncombustible construction or of enclosure surfaces constructed of gypsum wallboard attached to noncombustible construction.
- Clarifies that Type II exhaust systems shall be independent of other exhaust systems.
- Adds some language and dedicates a section to kitchen exhaust fans.
- Clarifies when a Type II hood is required.
- Requires a capture and containment test for the kitchen hood.
- Adds requirements for hazardous exhaust ducts that penetrate fire resistance rated assemblies.
- Adds requirements for energy recovery ventilation systems
- Brings in existing language from building code regarding air movement in egress elements.
- Adds requirements for foam plastic insulation used in plenum finishes.
- Clarifies that flexible connectors are not permitted to pass through walls, floors, or ceilings.
- Brings in smoke and fire damper requirements from the building code.
- Allows louvers to be interlocked with an appliance for the purposes of combustion air opening area.
- Allows mechanical draft systems for manually fired appliances.

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Getting Mechanical

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-Adds requirements for stationary fuel cell power plants.

-Added a few refrigerants to Table 1103.1

-Adds a requirement for mechanically formed tee fittings used in hydronic piping.

Like last cycle, we have a few updates that are unique to Ohio. We are proposing to allow non-plenum rated wiring methods in information technology equipment rooms and areas when other construction features are incorporated into the building. We still make reference to ASHRAE 62 as an acceptable compliance alternative to the outdoor ventilation air requirements of Table 403.3.

As expected, the rules related to pressure piping systems in the mechanical, plumbing, and building codes are expected to change too. We just received word that Substitute House Bill 183 passed the house and the senate and is awaiting signature by the governor. In a nutshell, this legislation will define building services piping, power piping, and process piping. Building departments will only be responsible for regulation of building services piping systems within their jurisdiction. Power and process piping systems, however, will no longer be regulated by building departments (newly created optional certification) or by the Division of Industrial Compliance (DIC). Owners of power and process piping will be solely responsible for ensuring that these systems meet the codes. The legislation still allows for regulation of medical

(Continued on page 5)



Legally Speaking—John Brant, Esq.

Recently, the Board of Building Standards has had a number of appeals of its denial of certification as a building official by several individuals. Many of these denials have centered around whether an individual has been employed as a superintendent of construction or has worked as a construction contractor for the experience claimed on applications. In 2002, Judge Conner decided the case of Vargo v. Ohio State Board of Building Standards (Franklin County Case No. 01CVF-11-11581, June 14, 2002). Mr. Vargo had worked as an electrical contractor for thirteen years and for eight years and three months as an electrical inspector. Mr. Vargo argued that the Board should recognize his experience as an electrical contractor to meet the additional time that he needed to fulfill the ten year experience requirement. Since 1998, the Board has defined a construction contractor as a general contractor and has not accepted experience gained as a specialty contractor/subcontractor (electrical, plumbing, HVAC, refrigeration, or hydronics contractors).

Judge Connor held that the Board could interpret the phrase “construction contractor” so as to require “that the additional experience be experience as a general contractor, in order to provide the required knowledge of different construction methods, processes, and types.” The court found that the Board could properly conclude that an electrical contractor, or other specialty contractors, did not possess the broad range of construction experience necessary to be certified as a building official. Judge Connor concluded that it is a

well-settled principle of law that an administrative agency is entitled to proper deference from a court in how it interprets its own rules.

Another problem that the Board has faced recently in the review of building official applications is that applicants will attempt to use the same experience to apply for different certifications. For instance, an applicant may claim employment as a superintendent of construction or as a general contractor when the applicant has used the same experience to claim that he was an electrician to meet the six year experience requirement to become certified as an electrical safety inspector.

To become certified as an electrical safety inspector, the applicant must show that he is a journeyman electrician (i.e., that he has completed a US Department of Labor approved apprenticeship program) or he has worked six years with the tools of the trade. The six years does not mean that he has worked sporadically during the year as an electrician, but that he has held that position as a full-time employee. It is almost as if the individual making application does not believe that the Board’s staff will cross-check earlier applications to determine if an individual is attempting to use the same experience for two different, often conflicting, sets of requirements for a certification.

This is an issue which will undoubtedly soon be litigated. If applicants have questions about work experience when completing certification applications, they should not hesitate to contact the Board for assistance in answering such questions.



Around the Code World with Mike Brady



SPECIAL INSPECTIONS & APPENDIX O

A few days ago I received a call from a testing company asking how to go about being included in Appendix O of the Ohio Building Code. When I asked why they wanted included in the appendix, they responded that a building official had required them to get their company listed in Appendix O before the building official would approve them as a special inspector for a particular project. The building official apparently thought it was required that special inspectors be listed in Appendix O.

According to Ohio Building Code (OBC) section 1704.1, a special inspector is a qualified person who can demonstrate competence to the satisfaction of the building official that he or she can perform inspection of the particular type of construction or operation requiring inspection. Exception number one exempts work of a minor nature or warranted conditions as approved by the building official. This does not mean that inspections are not required. It just means they're not required to be made by a special inspector. The "warranted conditions" part of this exception refers to circumstances in which the jurisdiction already has the resources and skills to perform the inspections instead of using a special inspector. This should be at the option of the jurisdiction, not the applicant.

Exception number two exempts special inspections on projects where a registered design professional is not required to do the design.

Is there, then, any requirement that a special inspector be listed in Appendix O? No. But there is, however, a provision in OBC section 1704.2.2 for very special circumstances. Special inspections are not required where a fabricator's procedures, quality control, and auditing programs are approved and supervised by an agency accredited by an approved national evaluation and accreditation service. These services are listed in Appendix P. Suppose, for example, that a steel truss manufacturer has a contractual agreement with a third-party agency accredited by one of the services listed in Appendix P to review and supervise their procedures, quality control and auditing programs. The OBC regards this as an acceptable alternative to the requirement for special inspectors. Remember these fabricator arrangements are voluntary. They are not something that can be required by the building official.

Let's go back to the normal procedure. OBC section 1704.1.1 requires the registered design professional to prepare a list of special inspections to be performed. Additionally, the registered design professional must prepare a list of the individuals or agencies the owner intends to hire to conduct the special inspections. The building official is responsible to review this list and concur on the selected individuals on the list.

So when a building official can't use Appendix O, how does he or she know whether or not a special inspector is qualified to do the job? In many cases, archi-

ects, engineers and other specialists possess the technical expertise to be special inspectors. Regardless of whether or not these persons are registered design professionals, the building official should ask for documents indicating their qualifications for the job at hand. Since each category listed in Section 1704 OBC requires a different type and level of expertise, the building official should look for an inspector's experience and expertise in the appropriate category proposed. If the record submitted is not satisfactory, the building official should ask the registered design professional to propose another more qualified inspector.



Getting Mechanical

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gas piping systems under the definition of building services piping. Therefore, the medical gas piping inspector certification will still remain as an optional certification for departments and personnel. As is currently the practice, if departments opt out of the enforcement responsibilities for medical gas piping systems, the DIC will enforce the requirements relating to those systems. Watch for future updates on this issue.

Finally, there are other changes of a minor or editorial nature that are not mentioned here. If you have concerns with any of the above changes, please let me know or offer your comments at the public hearing currently scheduled for August 27th.



From the Archives—We know, do you?



Pictured in the background is Oscar Bloch. Oscar was active at the state level through OBOA and locally through FBOA.

Many of you will not recognize anyone in the photograph above. For those of you who do, it will provoke memories, smiles, and we are sure, some good stories.

Pictured above is a much younger Jack Pryor (Newark),

OBOA president in both 1987 and 1988. The occasion pictured was the awarding of the 1987 Victor C. Jones Award at the OBOA annual conference in Columbus, Ohio. Dave was the staff architect at the Board of Building Standards and was also the recipient of the 1993 BOCA Albert Baum Award.

Oscar was one of the building officials who worked to encourage adoption of regulations creating state-wide certification of building department personnel and continuing education. Oscar was president of OBOA in 1989 and was the 1993 OBOA Victor C. Jones Award recipient.



Ohio Contractors to Use New Licensing Exams

Subcontractors in Ohio will now have to pass an ICC examination to become licensed in the state. The ICC recently signed an agreement with Ohio's Department of Commerce to provide testing services for the Ohio Construction Industry Examining Board (OCIEB).

Ohio requires subcontractors in the construction industry to be licensed. Starting this May, the ICC will administer tests for the state's trade and business law examination require-

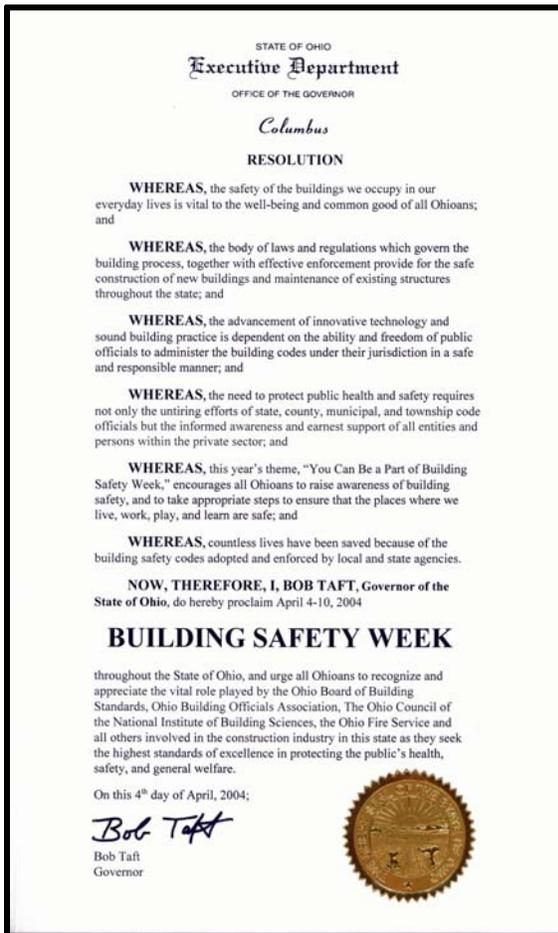
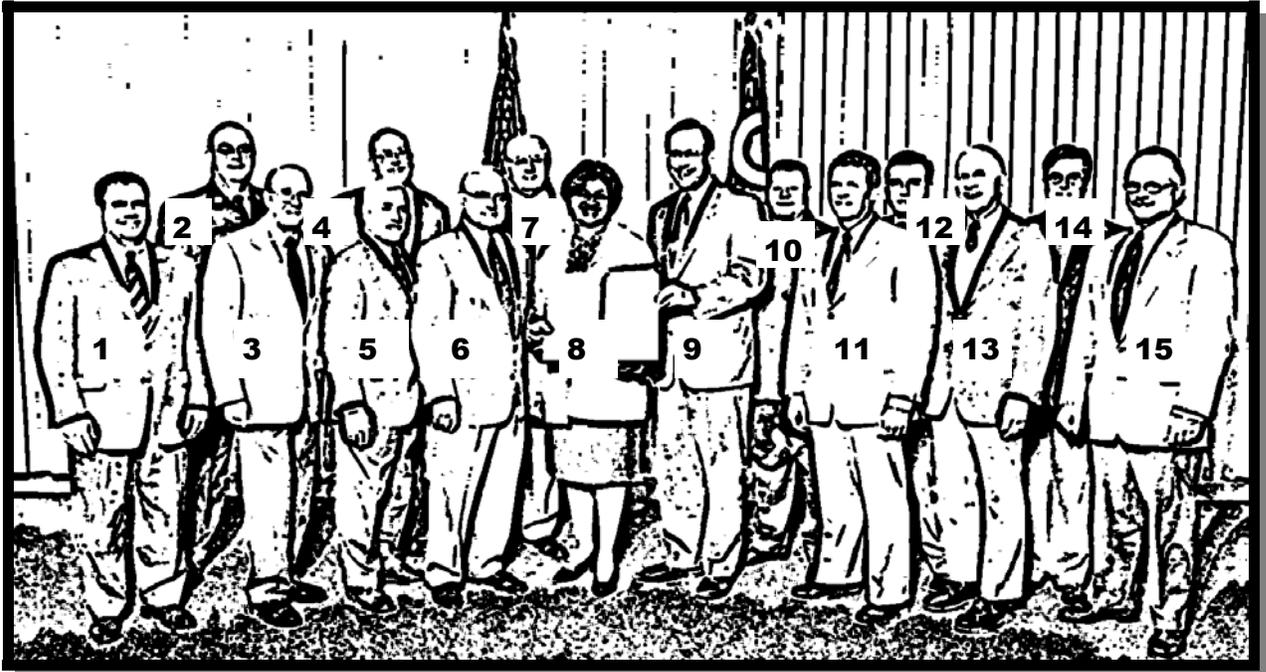
ments for master plumbers, master electricians and master HVAC contractors, as well as the state's refrigeration and hydronic heating categories.

Ohio currently enforces the 2000 International Building, Mechanical and Plumbing Codes, and the 2000 International Fuel Gas Code (and the 2001 ICC Supplement) by reference. The state also requires professional certification for its building officials, plan examiners, building, mechanical, plumbing, and electrical inspectors.

The International Code Council Contractor Examination Program works with participating jurisdictions as a third party testing agency for contractor exams. ICC examinations are the foundation for contractor licensing in 16 states, the District of Columbia and the Cayman Islands. The ICC Examination Program offers over 60 examinations covering building, electrical, plumbing, mechanical and specialty areas.



Who Is That In The Cover Page Photograph?



The Proclamation that the Governor is holding in photo above.

- Left to Right:
1. Representative **Tim Schaffer**, 5th House District, Chairman of the Homeland Security, Engineering & Architectural Design Committee.
 2. **Stan Crosley**, Sidney, Ohio, Fire Chief, President of the Ohio Fire Chiefs' Association.
 3. **Stephen K. Woltz**, State Fire Marshal.
 4. **John W. Brant**, Executive Secretary of the Board of Building Standards.
 5. **Dave Williamson**, Superintendent of the Division of Industrial Compliance, Ohio Department of Commerce.
 6. **David L. Levinka**, Executive Director of the Ohio Council of the National Institute of Building Sciences.
 7. **Bruce Larcomb**, Regional Manager, Government Relations, Ohio Resource Center, International Code Council.
 8. Ohio Lt. Governor **Jennette Bradley**, Director of the Ohio Department of Commerce.
 9. Ohio Governor **Bob Taft**.
 10. **Gary L. Schaeffer**, Secretary-Treasurer, Ohio State Building and Construction Trades Council.
 11. **Rick Schriever**, President of the Ohio Building Officials Association.
 12. **Billy Phillips**, Ohio Board of Building Standards.
 13. **Joe Bush**, President of the Central Ohio Code Officials Association.
 14. **Bill Smith**, President of the Ohio Council of the National Institute of Building Sciences.
 15. **Vince Squillace**, Executive Vice President of the Ohio Home Builders Association.



FBOA

General Membership Meetings are the first Wednesday of each month at 6:30 pm and will resume in September with an educational program at Tangiers Restaurant, 532 W. Market St., Akron. A golf outing will be held July 30, 2004 in Mogadore. The Disaster Preparedness Damage Assessment seminar will be hosted jointly with BO-CONEO September 24, 2004. A Residential Code of Ohio 2004 seminar will be presented October 28, 2004 in Rootstown. Watch www.fboa.org for details. President Dan Gargas, ph 330-325-3034, e-mail dgar-gas@netlink.net.

MVBOC

TERRY WELKER, AIA was recently appointed to the Education Ad Hoc Committee to represent MVBOC. Mr. Welker is the Chief Building Official and Plans Examiner for Kettering. **CULTURAL DIVERISTY SEMINAR.** On June 3rd Lilly Calderon from Sinclair Community College presented a seminar on the cultural differences in the Spanish speaking community. **MVBOC AND SNYDER BLOCK & BRICK** hosts Seminar for Fireplace Construction on June 15th. **2004-2005 MVBOC SCHOLARSHIP PROGRAM ANNOUNCED** Applications are being accepted and must be postmarked by 16 July 04. **DAYTON DRAGONS OUTING** to

NWOBOA

NWOBOA will be hosting its annual golf outing on August 18, 2004. Cost is \$290.00 per team. NWOBOA held a residential code update seminar on June 10th. More than sixty Toledo Home Builders and code officials took part in the seminar. Changes to the code were discussed and the Builders left the seminar with a better understanding of the new code. The Board talked about our "IMAGE" and NWOBOA believes that our public image is good to both home owner and builder. The board will meet again on July 15, 2004.

SWOBOA

The Joint Conference, coming to Cincinnati in 2005, is currently in the process of being put together. Committee members right now are working on sponsorships and education to put on another great conference. If you would like to help or be involved in this conference please contact James McFarland (chair) at (513)-352-1558.

During the second quarter of 2005, several education topics are being presented in Southwest Ohio:

- Simpson and Tyvek class on July 22
- Sprinklers on August 19

For additional information concerning future courses, please visit our web site at swoboa.org or contact Brian Rose (513)-867-5318 or Mike Spry (513)-352-3267. Questions please call James L. McFarland (513)-352-1558.

COCOA

Education Opportunity:
3 BBS total Continuing Education Hours for: BO, PE, BI, MI
Class: Thursday, July 15, 2004
Time: 9:00 A.M. – 12:30 P.M.
Place: Grove City Municipal Building, 4035 Broadway, Grove City, Ohio 43123
BBS2002-386: International Fuel Gas Code—CHAP. 5 "Venting"
BBS2002-136: International fuel gas code-overview
BBS2002-387: Mechanical piping systems-enforcement overview
Seminar will provide information on venting requirements and overview of the fuel gas code and the enforcement of piping systems. See www.cocoaonline.org for info. Fee: COCOA member \$40.00 Non-member \$55.00
Make checks Payable to: Central Ohio Code Officials Association.

BOCONEO

NARI executive director **Brenda Callaghan** gave the group a short presentation about **H.B. 461**—Home Improvement Contractor licensing. **NARI** is seeking support for their efforts. Contact Brenda at 216-619-6274 or email at NAR1cleve@aol.com. **The golf outing** is filling up! There are still openings available for the July 16 event. Contact any BOCONEO executive committee member for info. **Five scholarships** were presented at our June gathering to five college students selected from **BOCONEO** family members. **John Alcorn**, Education Committee Chairman, will be leaving Ohio for sunny Fort Pierce, Florida. John is the new **Building Director** in Ft. Pierce. **Marc Meyers**, from Broadview Heights, has accepted the challenge of becoming Education Chairman. If any member has ideas or suggestions contact

OBOA Information Update



OBOA Presidents Message:

Building Safety Week has come and gone and in review of the event, I am convinced that a week is not enough time to really portray our mission. It is difficult to get the attention of, and expect the participation of, the general public in a safety program that we hit hard for a week and then allow it to sit on the back burner for another year.

In order to gain the respect of the masses and be viewed by the world as a resource for information pertaining to building and fire safety, it is going to take a lot more work on our part. I think the planning for next year's events has to begin now and the first step in setting the stage for the future is the promotion of professionalism in our ranks. This one item will have a substantial

impact on how our message is received in years to come. After all, if we don't have the respect of our citizenry, how can we expect them to buy in to our promotion? In order to work on this first step let's try something simple. "Treat others the way you wish to be treated and take the time to explain your position in terms that can be readily understood by your audience". I think we might be surprised how far this simple thing will take us.

Rick Schriewer
OBOA President

ICC REGION V

Another organizational meeting was held at American Legion Post 500 - Speedway, 1926 Georgetown Road, Indianapolis, Indiana, on June 25th, 2004.

All committee leaders and state representatives were encouraged to attend as they continued the planning process for this very important new ICC chapter.

Anyone not listed on or assigned to any current committee but who would like to be a participant in the development of the ICC Region V organization, your presence is extremely welcomed at any meetings held to organize Region V.

Discussions centered on membership, by-laws, education, and other issues that may be of concerns from participant states.

OBOA Bank Account Balances as of

6/18/04		
CD#008-.....91		5,726.31
CD#008-.....68		6,122.87
CD#008-.....97		11,755.51
Checking		8,347.46

TOTAL Bank Accounts		31,952.15

ODPCA

ODPCA's 10-week course on the OBC is beginning Wednesday, August 18, 2004 at 6:00 pm. The 3-hour classes will be held Wed. evenings in the lower floor training room at the City of Columbus's Div. of Bldg. Reg., 757 Karen Avenue, and will include a light meal at 5:30 pm. The cost is \$300 for all 10-weeks (30 hours). Past president, Robert Smith, is coordinator for the course. For an additional \$100, OD-

PCA will provide the two-volume IBC-2003 Commentary, which course instructors will reference.

Board member David Hughes is currently working with Columbus Metro. Library staff to determine what standards need to be updated or added to keep the OBC Chapter 35 standards at the library current with the next OBC effective 1 Jan 05.

President, Bob Schutz, appointed an ad-hoc committee to work directly with the Central Ohio chapter of AIA on joint education.

NCOBOA



General membership meetings 3rd Thursday each month (Summer recess, June - July - August) 6:00 PM at DeLuca's In The Park, Lorain Ohio.

Upcoming Seminars:

- Sept. 16, 2004 Vinyl Siding Inspections 1 hr.
- Oct. 21, 2004 Joined At The Hip (BBS) 1 hr.
- Nov. 18, 2004 Board Of Appeals (Al Guenther) 1 hr.
- Oct./Nov. tentatively, 2004 RCO 1-2-3 Family Dwelling Code in conjunction with the Lorain County BIA.

Check our website, ncoboa.org, for further information and updates.

NCOBOA President, Guy Fursdon, phone 440-353-0822, e-mail gfulsdon@nridgeville.org

SWOFSC

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(513) 474-5562

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Colerain Twp Fire Dept.
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(513) 245-6505 Ext. 246

Secretary—Mike Long
Washington Twp. Fire Dept.
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Centerville, OH 45459
(937)-433-3083

Treasurer—Roy Baver
Washington Twp Fire Dept. (Ret.)
145 Boyce Road,
Centerville, OH 45458
(937) 433-5153



OBOA Legislative Update



OBOA Legislation Committee Report:

The following are six House Bills and one Senate Bill that are awaiting legislative action. Please note that **HB 208 RETAINAGE PERCENTAGE** has been voted out of committee and is awaiting a floor vote.

HB 175 CONTRACTOR LICENSING (Buehrer) Am., En. & Rep. 307, 505, 715, 1312, 2703, 3722, 3781, 3791, 4703, 4733, 4740, 4929 & 4933. Requires statewide licensing of residential contractors, establishes a statewide uniform building code for residential buildings, establishes a process for granting variances from the statewide uniform residential building code, and makes other changes in the laws governing resi-

dential contractors and residential construction. The bill has been assigned to the House Homeland Security, Engineering & Architectural Committee.

HB 208 RETAINAGE PERCENTAGE (Young) Am. 153, 3791, 4113 & 5559. Modifies provisions governing the practice of withholding a percentage of payment from contractors, subcontractors, and material suppliers in the form of retainage. The bill has been voted out of committee and is awaiting a floor vote.

HB 386 UNIFORM BUILDING CODE (Kilbane) Specifies the building code adopted by the Board of Building Standards is a statewide uniform building code. The bill has been referred to the House Homeland Security, Engineering & Architectural Design Committee.

HB 396 CONTRACTOR LICENSING CONSTRUCTION INDUSTRY LICENSING (McGregor) Changes the name of the Ohio Construction Industry Examining Board to the Ohio Construction Industry Licensing Board and makes other changes related to that Board. The bill has been assigned to the House Homeland Security, Engineering & Architectural Design Committee

HB 461 HOME IMPROVEMENTS (Trakas) Adopts the Home Improvement Contractor Law, establishes the Home Improvement Contractor Registration Board in the Department of Commerce establishes civil and

criminal penalties for violation of the law and grants the attorney general enforcement powers. Am. & En. 2913 & 4722. The bill has been assigned to the House Homeland Security, Engineering & Architectural Design Committee.

HB 465 RESIDENTIAL ROOFER LICENSING (Wolpert) Licenses residential roofers and siders with the Ohio Construction Industry Examining Board and prohibits residential roofers and siders from acting as public insurance adjusters or negotiating claims for an insured. Am. 715, 3781, 3951 & 4740. The bill has been assigned to the House Homeland Security, Engineering & Architectural Design Committee.

SB 179 CONTRACTOR LICENSING (Nein) Provides for the licensure of backflow contractors and prefabricated fireplace contractors; changes the name of the Ohio Construction Industry Examining Board to the Ohio Construction Industry Licensing Board and makes other changes related to that board. The bill has passed the Senate and has been referred to House Homeland Security, Engineering & Architectural Design Committee.

Respectfully Submitted by:

Gerry Stoker Co-Chair OBOA Legislative Committee June 25, 2004



OBOA Bulletin

OBOA INTERPRETATION COMMITTEE

Several interpretation requests have been received with questions on various sections of the 2004 Residential Code of Ohio for One, Two and Three family Dwellings. Two of the requests have received formal interpretations from committee members, one being landings at exterior doors and the other on replacement windows. There is one request still in committee at this time concerning stud wall height and several table referred to in the code, which are causing confusion. A committee report will be forthcoming on this request.

Please contact Bruce Wholf at wholf-bruce@maumee.org for a copy of the interpretations to date.

O.C.I.E.B. - New Law, New Name and New Faces

The Ohio Construction Industry Examining Board (OCIEB) has been in a period of transition over the past few months. Everything from the law governing the Board, personnel, and the actual name of the Board has been changing.

OCIEB is made up of fifteen members, divided into three specialty trade sections, and one Administrative section. The Board issues specialty licenses to contractors in the Electrical, Plumbing, HVAC, and Refrigeration trades. There are currently over 18,000 contractors licensed through OCIEB. These contractors are also required to complete continuing education coursework on a yearly basis.

Recent legislation that will assist the Board in licensing matters was signed by Governor Taft on June 17th and will become effective September 20, 2004. The new law

changed the name of the Board to the Ohio Construction Industry *Licensing* Board. The law authorizes the trade sections of the Board to impose sanctions, including fines, to licensees who violate the Construction Industry Licensing law. It also allows the Attorney General to bring civil action against non-licensed individuals acting as or claiming to be a contractor that is licensed by OCIEB. Further, individuals will now have three years to file complaints against contractors for investigation rather than one. Senate Bill 179 also modified certain continuing education, examination, and license renewal requirements relative to licensed contractors. Amendments to the law also included a provision affecting plumbing backflow technicians by creating an oversight Board within the Division of Industrial Compli-

ance.

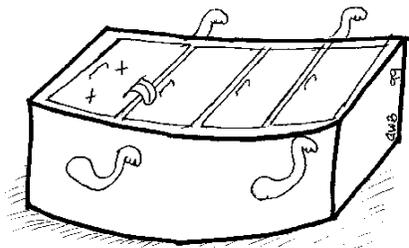
Another area helping to shape the future of OCIEB involves personnel. Steve DeBolt, former Bureau Chief of Construction Compliance, has been appointed Board Administrator and oversees the day-to-day operations of the Board and staff. Former Board Administrator, Carol Ross, has been appointed to the newly created position of Manager of Training and Public Relations. Carol works in the field monitoring over 200 training agencies, makes presentations to various organizations, and attends trade shows on behalf of the Construction Industry Examining Board.

For questions about the licensing activities of the Construction Industry Examining Board, you can call 614-644-3493 or visit their web site at:

<http://www.com.state.oh.us/ODOC/dic/dicocieb.htm>.



TOONS



DEAD FILE

ODIC—Spotlights

On May 17, 2004, the Ohio Award for Excellence (OAE) Center at Kent State University announced that the Department of Commerce, Division of Industrial Compliance had received the Level 1 Award for Excellence for being an “outstanding example of excellence in the state of Ohio, exhibiting ‘world class’ processes that serve as role

models for others.” DIC plans to continue its commitment to excellence by applying this fall for the Level 2 award, Commitment to Excellence, which involves an extensive outline of business practices and procedures, measuring and assessing customer satisfaction with the full range of services, and efforts to incorporate extensive employee learning and motivation efforts into day-to-day and future operations.



Making it Understandable - Jan Sokolnicki



WHY CAN'T WE ALL JUST "GET ALONG"?

Since I've been on board staff now for over thirteen years, I think it's time to divert my focus for this one article from technical to personal opinion (like I've never done that before).

I've been at "this stuff" a long time. First a bricklayer apprenticeship in '69, contractor/homebuilder in '74, building official in '76, private sector code consultant from '80 through '91 and, since then, staff here at the board. I've participated in all the legacy codes' code development processes, been on too many national code committees, worked with 25 different states' regulatory systems, and even worked with some federal agencies in Washington. I've seen the national codes plug critical holes related to safety, health, and accessibility and I've also seen a lot of wasted effort on proposed changes that should never have been brought up in the first place. About eight years ago, I began to realize there's something seriously wrong with our industry (code development/enforcement) and it seems to be getting worse. Statistically, we have been very, very successful at improving the general level of building safety, healthy environments, and accessibility for our Ohio citizens. But the public still doesn't understand or feel good about building and fire code enforcement professionals. Although it is our collective work over the past decades that has made the difference; we are, for the most part, underpaid and resented. WHY?? Well, since I've got the floor, I'll give you *my*

opinion. WE DON'T WORK TOGETHER AND WE TREAT PEOPLE LIKE CRAP!

As a reminder (from your high school government 101 course), what we do (government), is supposed to be a service to the state and communities we work and live in. We are supposed to be doing this service in a manner that makes the folks we serve appreciate us. That's why government was created....to do for the folks what they couldn't do for themselves.....and they should **WANT** us to be helping them. Do they?? If you don't believe what I'm saying here, ask yourself the question, "If someone in my family, who didn't have the construction/code enforcement background I have, were to walk through the door and try to get a permit or call on the phone and ask a question, how would they be treated"?

Do you think that firefighters are treasured in the communities just because they put out fires and wear cool gear? They're loved because of what they do **AND** they do this without punishing those of us who were stupid enough to leave a pot on the stove, fell asleep smoking, or dangerously altered our home's electrical system. If they treated the public the way we do, they'd probably hit us in the head with their helmets after they found out how the fire started. They drive the fire trucks to schools, teach our kids about how to save themselves in fires, let them try on their helmets, and climb on the trucks...we hear about this, then remember going through this

(Continued on page 14)



Training News Billy Phillips

Board Approves Rules for the Ohio Building Code Academy

At its Conference meeting held on June 11, 2004, the Board approved the rules for the Ohio Building Code Academy. Prior to the approval the Board Held an Open Hearing at the Joint Conference in January and a Public Hearing was held in Reynoldsburg on April 23, 2004. The hearings were held to allow code officials, design professionals, and other interested parties to provide input on the proposed Ohio Building Code Academy rule changes.

At the Open Hearing in January, Rick Schriewer (OBOA), Vice-Chairman of the Education Ad Hoc committee made a presentation to the Board on the proposed rule changes that were necessary to create the Ohio Building Code Academy. Mr. Schriewer testified that the Code Academy concept has been studied by my several different committees over the past twenty years and the committee agreed it was ready for prime time.

After Mr. Schriewer testimony, Chairman Jerry Holland commented, "I can't thank you and the committee and the Board members enough for what you have done. It is a beginning and because this is completely new, if we are going to let the public realize that we are a professional person, then we are going to have to come up with something".

Chairman Holland concluded by stating that "In all organizations there are some people that will step up and say we want to make

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Training News

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the change and you people (the committee) have done that. To you that started it I say thanks, and to you that are sitting out there I'll thank you early on because your turn is going to come. So believe me when I say thank you very much for your time. It wasn't wasted and we (the Board) appreciate it, and the people of this state will appreciate it, and the officials in our communities will appreciate it in time".

Dave Ledvinka, one of two Board members who served on the committee, commented to Chairman Holland that, "If I may add an explanation point to your comments, I want to say the process that they (the committee) put themselves through has been thorough, painstaking at times, very introspective, intense; but it has always been forward moving. Just yesterday the committee met again, and I'll add one more exclamation, it was exhaustive. Any time the negative comments came back this committee has never grumbled. They looked at negative comments really as an opportunity. They've been respectful of who brought those forward. They've addressed them in a positive way and an open way and they kept the process moving forward, so I kind of looked at this hearing as a formality. I think they have the Colonel Sanders approach. They believe in their product and they will get everything resolved and it is well on its way now. This recipe will make it to the market, so I just wanted to complement them on their good work".

After the Open Hearing the Education AD Hoc committee, at the request of the Board, reviewed all of the comments and as a result

made additional changes based on the comments from the Board and the Open Hearing. The Board moved the Ohio Building Code Academy to a Public Hearing scheduled for April 23, 2004 in Reynoldsburg. The Board heard public testimony from about eighteen code officials and design professionals. No one who testified was totally opposed to the Ohio Building Code Academy concept. However, there were some concerns voiced by those giving testimony in regards to cost, technology, selection of instructors, location, course curriculum, impact of training, credit for other experience, and customer service. Some of those present voiced their concerns and requested that the Board delay approving the Ohio Building Code Academy until all of the issues could be worked out.

Board member Kurt Schmitt responded to the importance and the value of the customer service aspect of the academy. Mr. Schmitt commented, "Customer service, to me, is one of the most important facets of the code academy; and that's one of the reasons I was involved with the committee trying to get quality enforcement, raise the level of professionalism, because your place in the economy is crucial....". He also commented that it was important for code enforcement officials to recognize two aspects of customer service. The first is to acknowledge who the customer is and the second is knowing their place in the industry.

Board member Dave Ledvinka then responded to the request to delay the academy until all of the concerns could be worked out. Mr. Ledvinka commented, "If this isn't a work in progress forever, then there's probably something

wrong with it. But I think being in a leadership position is a responsibility. We are helping write the position, despite whatever mistakes we make, we'll work through our mistakes. I think it's a good thing to do and the right thing to do; and that's been echoed by basically every speaker, even the ones with reservations. I like the leadership position, and putting that on Ohio's shoulders is fine with me".

After the Ohio Building Code Academy was approved on June 11, 2004, the Board moved to delay the implementation of the academy until June 30, 2005. Over the next year, the Education Ad Hoc committee will continue to finalize the academy procedures. Please stay tuned for additional information on the academy.

I would also like to take this opportunity to thank the entire Board for their deliberations in this matter.

A special thanks to the Board's Personnel and Education committee members Kurt Schmitt, Fred Mills, Dave Smith, Mike Morgan and Dave Ledvinka for all the additional time spent with the committee and, last but not least, I would extend a very special thanks to the committee members Mike Morgan (Chairman), Rick Schriewer (Vice-Chairman), Dave Ledvinka, Paul Myers, John Alcorn, Dave Collins, Mike Billmaier, Gary Ungerer, Mike Michalisin, Ray Sebastian, Roy Bayer, Dave Kaminski, Jim Ferris, Tom Carleton, Bill Griswold, Dave Hocesvar, Ralph Reeb, Roger Westfall, Dan Gargas, Rick Helsinger, Dave McGlothen, Mike Spry, Greg Nicholls, Tony Catalona, Terry Welker, and Tom Jamieson.



Ohio Board of Building Standards Calendar

JULY 2004							AUGUST 2004							SEPTEMBER 2004						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3	1	2	3	4	5	6	7				1	2	3	4
4	5	6	7	8	9	10	8	9	10	11	12	13	14	5	6	7	8	9	10	11
11	12	13	14	15	16	17	15	16	17	18	19	20	21	12	13	14	15	16	17	18
18	19	20	21	22	23	24	22	23	24	25	26	27	28	19	20	21	22	23	24	25
25	26	27	28	29	30	31	29	30	31					26	27	28	29	30		

4—Independence Day

16—Board of Building Standards Conference Meeting

27—Board of Building Standards Public Hearing & Conference Meeting

13—Electrical Safety Inspector Exam

22—Autumn Begins

24—Board of Building Standards Conference Meeting.

26-29—ICC Codes Forum



ICC Calendar

- July 19-22 U.S. Department of Energy 2004 National Workshop on State Building Energy Codes; Philadelphia, PA
- July 25-26 2004 AIA Annual Convention; Village of Baytowne Wharf; Sandestin, FL
- Aug. 20 Deadline for receipt of applications for Code Committees
- Aug. 20 Deadline for receipt of new code change proposals
- Sept. 17-18 *Journal of Light Construction* Residential Construction Live Columbus Expo; Greater Columbus Convention Center, Hall D; Columbus, OH
- Sept. 26-29 International Code Council Codes Forum; Salt Palace; Salt Lake City, UT

Understandable

(Continued from page 12)

when we were little and feel good about our friends the firefighters. And how do we treat the public? Pretty much the same way we treat each other? We (fire & building code enforcement) point fingers at each other, blame each other for “what’s wrong”, fight over jurisdictional authority, write articles in magazines accusing the other side of having vested interests and wrong priorities. We walk into buildings looking to “bust” someone on a code violation, write a stop work order, or catch someone building a deck without a permit. We should be acting as ambassadors of safety, health and service. The public should be looking forward to seeing us or hearing from us because we are experts in keeping their families and friends safe and healthy and buildings useable by everyone. We heard a lot of grumbling about the course the board put on about code official credibility. Guess what...this is *exactly* the area we fail in and we will continue to have the problems we have until we focus our energy on improving how we work together and relate to the public.



NAHB Letter To NCS-BCS

June 24, 2004

Robert C. Wible

Executive Director

NCSBCS

505 Huntmar Park Drive, Suite 210
Herndon, VA 20170

Dear Mr. Wible:

Earlier this year you contacted our staff to solicit the support of the National Association of Home Builders (NAHB) in an initiative by your organization with the National Governors Association (NGA) calling for the state governors to push for the development of a single coordinated set of national model building codes. While we had hoped to respond to your request sooner, circumstances have delayed our response. I would like to apologize for the delay and to clarify our position on this very important issue. NAHB and its more than 215,000 members have supported and will continue to support the goal of a single set of national model building codes. Let me provide a brief history of our efforts to achieve that goal.

Shortly after the three existing regional model code organizations established the International Code Council (ICC) in 1994 for the purpose of developing a single coordinated set of national model building codes, NAHB recognized the potential benefits to the building industry of achieving this goal. NAHB subsequently joined ICC in this effort and adopted policy supporting the concept of a coordinated set of national model building codes.

Recognizing the need for a stand-alone residential code that would be truly national in scope, NAHB also sought development of a residential component of the new ICC family of codes, which ICC agreed to do.

NAHB committed considerable resources to this effort by actively participating in the development of the *International Residential Code* (IRC), as well as the other International Codes (I-Codes). In 2000, when ICC published the first full edition of the I-Codes, we believed this goal had been achieved.

Unfortunately, after initially agreeing to work with ICC in its efforts to develop a single set of building codes, the National Fire Protection Association (NFPA) subsequently withdrew from development of the I-Codes and in March of 2000 announced plans to develop its own set of national model building codes for the purpose of competing directly with ICC. NAHB immediately tried to persuade NFPA and ICC to work together on a single set of codes and even joined with a number of other industry leaders to form the "Get It Together" Coalition to achieve that end. However, those efforts have, to date, failed.

At first, NAHB decided that it needed to participate in the development of the new NFPA 5000 Building Code in order to protect the interests of our members and the home building industry.

However, it soon became clear that NFPA 5000 would fail to meet the need of home builders for a stand-alone residential code and to adequately consider housing affordability in its development. NAHB formally withdrew from participation in the development of NFPA 5000 in April of 2002 and adopted policy later that year urging its members and affiliated home builder associations to oppose its adoption. That policy went on to urge NFPA to abandon code development and adoption efforts related to NFPA 5000 and to work with ICC to in-

tegrate the other NFPA codes and standards into the ICC family of codes with the goal of achieving a single coordinated set of national model building codes.

As you know, NFPA's decision to develop a second set of codes for the expressed purpose of competing with the ICC's set of codes has resulted in code adoption wars in many state and local jurisdictions in recent years. ICC with NAHB's support has been the big winner to date. The I-Codes have been adopted at the state or local level by forty-eight states and the District of Columbia. Only Pasadena, TX is using NFPA 5000. In addition, California has approved adoption of NFPA 5000, but that decision has yet to be implemented and appears to be in jeopardy.

In summary, NAHB policy supports development of a single set of national model building codes. NAHB believes that ICC has achieved that goal in the development of the I-Codes. Further, NAHB is strongly opposed to the adoption of NFPA 5000. We are not interested in ICC and NFPA getting together again for the purpose of starting from scratch to develop yet another set of model building codes. Therefore, NAHB will not be joining NCSBCS in this initiative. Instead, we hope that NCSBCS will join NAHB in calling for NFPA to abandon its efforts related to NFPA 5000 and its plans to develop a new residential building code. NFPA should be encouraged to seek an agreement with ICC to integrate the other NFPA codes and standards into the ICC family of codes.

Please contact us if you have any questions regarding this matter.

Sincerely,

James L. "Andy" Anderson

Chairman, Construction, Codes &
Standards Committee





Ohio Board of Building Standards

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