



CHAPTER

OHIO BUILDING OFFICIALS ASSOCIATION



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The Honorable Gayle Manning
Chair, House Commerce and Labor Committee
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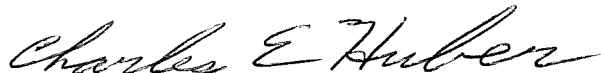
SUBJECT: Opposition Testimony on HB 360

1. Introduction. Chairman Manning, Vice Chair Dean, Ranking Member Lepore-Hagan, and members of the committee. Thank you for allowing me to submit this testimony on House Bill 360 (HB 1). My name is Charles Huber, serving on Ohio Building Officials' Association's (OBOA) Legislation Committee [(M) 330-389-2954, e-mail chuber@fboa.org]. OBOA is a professional organization consisting of approximately 1,000 members most of whom administer construction rules. Our membership includes private sector architects, professional engineers, other construction designers, and construction contractors. Our members include employees and officials in State government. However, my testimony has been neither specifically coordinated nor endorsed by any State government employee or official. Some portions reflect existing general policy of the Ohio Board of Building Standards (BBS) within the Department of Commerce. I'll present points described by OBOA then-President John Cheatham's letter February 15, 2020 to the Committee and HB 360's Sponsor, Representative Erica Crawley.
2. Position. Without evaluating the value of HB 306, placing this building design requirement at ORC 3318 is not the most effective way to obtain compliance from public school districts. Furthermore, it discriminates against children attending non-public schools. A more effective way to evaluate the proposed requirement's merits and obtain compliance in all Ohio schools (public and private) is to submit it to the International Code Council and/or BBS.
3. Background. Existing statute [ORC 3781.10(A)(1)] charges BBS to develop rules governing "erection, construction, repair, alteration, and maintenance of buildings." Ohio Building Code (OBC) (OAC 4101:3) at Chapter 29 and Ohio Plumbing Code (OPC) (OAC 4101:3) at Chapter 4 addresses drinking fountain quantities and locations. OBC Section 1109.5 addresses drinking foundation handicap accessibility.
4. Basis of Rules. These rules are based on model construction codes developed by a private organization comprised predominantly by government

entities, the International Code Council (ICC). (OBOA holds a chapter charter from ICC.) Because the ICC codes are so widely used beyond Ohio, building owners and their design/construction teams from outside Ohio don't have to learn Ohio unique construction rules. The regulatory playing field (intra-State, interstate, and internationally) is level. Finally, ICC codes are coordinated to avoid conflict between each code (building code and plumbing code).

5. Petition to BBS. BBS's general position is that construction code changes should be presented to ICC and if approved, then be adopted into Ohio's codes (rules). However, BBS has provisions for modifications/amendments to be submitted for evaluation by BBS and adoption into Ohio codes (rules).
6. Opinion. Building owners (public and private), their building designers, and their construction contractors look to a single set of construction codes. Statute is not the best venue to evaluate this proposal. If worthy, adopting it at ORC 3318 is not the best method to communicate it to the public stakeholders.
7. Conclusion. OBOA offers the stakeholders associated with HB 360 assistance in preparing an ICC code change submittal and/or a BBS code change petition.

Sincerely,



Charles E. Huber
Legislation Committee