



GOVERNMENT OVERSIGHT
AND REFORM
COMMITTEE

Witness Form

Today's Date 2-22-2021

Name: Michael Kocab

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Organization Representing: OFOA, NEOFPA

Testifying on Bill Number: SB 9

Testimony: Verbal Written Both

Testifying As: Proponent Opponent Interested Party

Are you a Registered Lobbyist? Yes No

Special Requests: _____



The Ohio
Fire Officials
Association

The Ohio Fire Officials Association (OFOA)



February 22, 2021

The Honorable Kristina Roegner
Chair, Senate Government Oversight & Reform Committee
1 Capitol Sq. Floor 1
Columbus, Ohio 43215-4275
Via email ryan.culross@ohiosenate.gov

Subject: Opposition Testimony on SB 9 before the Senate Government Oversight and Reform Committee

Chair Roegner, Vice Chair McColley, Ranking Member Craig, and members of this committee. Thank you for the opportunity to submit this testimony on Senate Bill 9 (SB9), I am Captain Michael Kocab of the Willoughby Fire Department. I have been in the fire service for 28 years. I'm here today representing the Ohio Fire Officials Association and Northeastern Ohio Fire Prevention Association. OFOA is the state organization of fire officials which is comprised of more than 500 Certified Fire Safety Inspectors from across Ohio, it is the Official State Chapter for the International Fire Marshals Association of the National Fire Protection Association and the Official State Chapter of the International Code Council. The Northeastern Ohio Fire Prevention Association is one of the five regional fire official's associations and is made up of around 250 members from Cleveland and Northeastern Ohio.

We have serious concerns about Senate Bill 9, and we ask you to reconsider a part of this legislation.

Specifically, we oppose the broad language reducing the Ohio Administrative Code (OAC) by thirty percent over the next three years. The Ohio Fire Code is part of the OAC as well as the Ohio Building Code(OBC) and the Bureau of Underground Storage Tank Regulations (BUSTR). We also oppose the 2 for 1 clause if the 30% threshold is not met.

The latest edition of the Ohio Fire Code became effective December 15, 2017. The Ohio Fire Code establishes the minimum standards for safeguarding life and property from fires and explosions in the State of Ohio. The 2017 Ohio Fire Code contains substantial copyrighted material from the 2015 International Fire Code published by the International Code Council. This code is developed every three years through the consensus process and is adopted by jurisdictions around the globe. If you would like me to expound on the consensus process, I can as I have been involved at the national code level for the last ten plus years.

- Approximately 85% of the State of Ohio Fire Code is adopted straight from the International Fire Code, a reduction by 30 % would force reductions in nationally approved safety codes.
- As this code is reviewed and updated by the State of Ohio Fire Marshal every five years, outdated codes are removed and replaced, the two for one clause would limit the ability of this code to stay up to date.

In promulgating the Ohio Fire Code, the State Fire Marshal of Ohio, per Ohio Revised Code must include rules relating to: the movable contents of any building, or class of buildings; the transportation, storage, location and use of flammable and explosive materials; the procedures to be employed by persons in the event of a fire; the installation and location of fire protection equipment; rules applicable to particular classes of existing buildings or structures and the use and occupancy of such buildings or structures suggest are necessary; and other similar matters.

- Based on Ohio Revised Code any rules related to these items cannot be removed from the Ohio Fire Code and thus could not be reduced by the 30% mandate.

The 2017 Ohio Fire Code is designed to be compatible with portions of the Ohio Building Code and all the International Codes some of which include the Fuel Gas Code, the Plumbing Code, the Property Maintenance Code, the Residential Code, and Zoning Code, many of which have been adopted for use in Ohio. The Ohio Fire Code is adopted statewide by local jurisdictions and is enforced by local fire officials and provides consistency statewide. The Ohio Fire Code is referred to as a maintenance code, as fire officials we are responsible for verifying that buildings and structures are maintained according to code so as not to reduce the safety and health engineered into them when they are constructed and approved for occupancy.

- If this statewide fire code is reduced by thirty percent and vital sections are removed, local fire officials will be forced to adopt the International Fire Code and more stringent local codes, this will cause hardships on contractors, owners and citizens around the state. This occurred in the past and created several issues around the state for contractors.

Rule 9 Fire Protection Systems and Rule 10 Means of Egress in the Ohio Fire Code are duplicated in the Ohio Building Code. This is done so fire officials and building officials work from the exact same playbook. They differ in that building officials use these sections to approve a building for occupancy. Once occupancy is approved the building is handed over to the fire official and the Ohio Fire Code is used to maintain these systems.

- These Rules must remain in the code. Without them first responders will be unaware that fire protection systems or egress components could be out of service or not functioning properly. This situation creates a life-threatening danger to inhabitants of the building as well as emergency personnel who are putting their lives on the line responding to fires and emergencies.

This reduction in the OAC if incorporated as it is today puts Ohioans -- and first-responders -- at serious risk of injury, or even death.

We strongly urge the committee to exempt the Ohio Fire Code from the bill reduction language and keep Ohioans and first-responders safe. Thank you for your attention to this important matter and if you have any questions I will be more than happy to address them.

Sincerely,



Michael J. Kocab
OFOA, President
NEOFPA, Vice-President