



OHIO BOARD OF BUILDING STANDARDS

6606 TUSSING ROAD, P.O. BOX 4009
 REYNOLDSBURG, OHIO 43068-9009
 (614) 644-2613 fax; (614) 644-3147
 www.com.state.oh.us/odoc/dic/dicbbs.htm

For BBS use:
Petition #: _____
Date Recv'd: _____

APPLICATION/PETITION FOR RULE CHANGE

Submitter: VINCE SQUILLACE OHIO HOME BUILDERS ASSOCIATION
(Contact Name) (Organization/Company)

Address: 17 S. HIGH ST. SUITE 700
(Include Room Number, Suite, etc.)

COLUMBUS OH 43215
(City) (State) (Zip)

Telephone Number: (614) 228-6647 Fax Number: (614) 228-5149

Date: 1/9/08 E-mail Address: VSQUILLACE@OHIOHBA.COM

Section: (NFPA STANDARD REFERENCE NUMBER 70)
(2008 NEC) 4101:1-35-D1; 4101:2-15-D1; 4101:3-13-D1

Proposed Change in Proper Format (attach additional sheets if necessary):

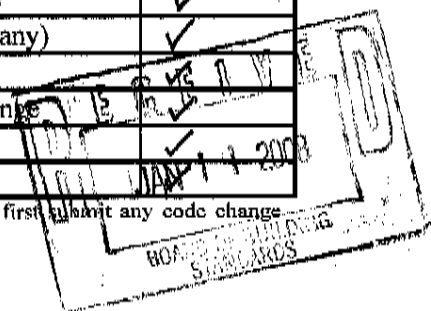
SEE ATTACHED.

Reason or Technical Justification (attach additional sheets if necessary):

SEE ATTACHED.

Make Sure the Following Information is Submitted:		Check-off
Submitter:	Name of contact person, organization, address, fax, phone	<input checked="" type="checkbox"/>
Sponsor:	Organization sponsoring or requesting the rule change (if any)	<input checked="" type="checkbox"/>
Rule Title:	Title of rule change	<input checked="" type="checkbox"/>
Purpose/Objective:	Reason or technical justification for the proposed rule change	<input checked="" type="checkbox"/>
Formatted Rule Language	Language formatted: strikethrough or underline	<input checked="" type="checkbox"/>
Completed Application:	12 Copies of application and documentation	<input checked="" type="checkbox"/>

Notes: 1. To encourage uniformity among states using model codes, it is recommended that the submitter first submit any code change directly to ICC and participate in the national model code development process.
 2. Use a separate form for each code change proposal.



January 9, 2008

Board of Building Standards
Billy Phillips, Executive Secretary
6606 Tussing Road, P.O. Box 4009
Reynoldsburg, Ohio 43068-9009

Re: Petition to Annul the 2008 National Electrical Code (NEC) and Supporting Information

Date: January 9, 2008

Rule Number proposed for Annulment: 4101:1-35-01; 4101:2-15-01; 4101:3-13-01

Provisions that are proposed for annulment: NFPA Standard Reference Number 70; 2008 National Electric Code

Submitter: Vince Squillace, Ohio Home Builders Association, 17 S. High St. Suite 700, Columbus, Ohio, 43215, (614) 228-6647, (614) 228-5149 (fax)

Sponsor: Ohio Home Builders Association

Reason and technical justification for the proposed change: Action of the Board was unreasonable and unlawful because it failed to adequately address costs and economic impacts of adopting the 2008 NEC. There is evidence attached of significant cost impacts resulting from the adoption. Further, much of the equipment necessary for compliance with 2008 NEC is not yet available. The board should consider the issue of repealing the 2008 NEC and replacing it with the 2005 NEC.

Proposed Change in Proper format: See attached portions of the rules.

Completed Application: See attached.

ACTION: Final

DATE: 12/14/2007 3:24 PM

4101:1-35-01 Referenced standards.

3501.1 General. *This chapter lists the standards that are referenced in various sections of the building code. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title. The application of the referenced standards shall be as specified in Section 102.4.*

3501.2 Referenced codes. *When indicated in this code, the following codes refer to provisions in the listed chapters of the administrative code:*

Referenced Code	Ohio Administrative Code chapters
<i>Building Code</i>	<i>4101:1-1 to 4101:1-35</i>
<i>Energy Code</i>	<i>4101:1-13</i>
<i>Fire Code</i>	<i>1301:7-1 to 1301:7-7</i>
<i>Mechanical Code</i>	<i>4101:2-1 to 4101:2-15</i>
<i>Ohio Boiler and Pressure Vessel Rules</i>	<i>4101:4-1 to 4101:4-10</i>
<i>Ohio Elevator Code</i>	<i>4101:5-1 to 4101:5-3</i>
<i>Residential Code of Ohio for One, Two and Three Family Dwellings (2006 edition)</i>	<i>4101:8-1 to 4101:8-43</i>
<i>Plumbing Code</i>	<i>4101:3-1 to 4101:3-13</i>

3501.3 Americans with Disabilities Act accessibility guidelines. *When reference is made to ADAAG in this code, it shall mean the "ADA Standards for Accessible Design" also known as "ADA Accessibility Guidelines for Buildings and Facilities", "28 CFR Part 36 Appendix A" Code of Federal Regulations as reprinted and the version available on the U.S. department of justice's website at <http://www.usdoj.gov/crt/ada/stdspdf.htm>.*

3501.4 Building Code Referenced Standards.

Aluminum Association
900 - 19th Street N.W., Suite 300
Washington, DC 20006

AA
Standard
reference

4101:1-35-01

28

number	Title
FP 1001-97	Guide Specifications for Design of Metal Flag Poles

National Concrete Masonry Association
2302 Horse Pen Road
Herndon, VA 22071-3499

NCMA
Standard
reference

number	Title
TEK 05-08(1996)	Details for Concrete Masonry Fire Walls

National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02269-9101

NFPA
Standard
reference

number	Title
11-05	Low Expansion Foam
12-05	Carbon Dioxide Extinguishing Systems
12A-04	Halon 1301 Fire Extinguishing Systems
13-02 <u>07</u>	Installation of Sprinkler Systems
13D-02 <u>07</u>	Installation of Sprinkler Systems in One- and Two-family Dwellings and Manufactured Homes
13R-02 <u>07</u>	Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height
14-03 <u>07</u>	Installation of Standpipe and Hose System
16-03	Installation Foam-water Sprinkler and Foam-water Spray Systems
17-02	Dry Chemical Extinguishing Systems
17A-02	Wet Chemical Extinguishing Systems
20-07	<i>Installation of Stationary Pumps for Fire Protection</i>
30-03	Flammable and Combustible Liquids Code
31-06	Installation of Oil-burning Equipment
32-04	Dry Cleaning Plants
40-01	Storage and Handling of Cellulose Nitrate Film
61-02	Prevention of Fires and Dust Explosions in Agricultural and Food Product Facilities

~~70-0508~~ ~~National Electric Code (including TIA 05-2)~~

INSERT 70-05 NATIONAL ELECTRIC CODE (INCLUDING TIA 05-2)

ACTION: Final

DATE: 12/14/2007 3:28 PM

4101:2-15-01 Referenced standards.

1501.1 General. This chapter lists the *codes and standards* that are referenced in various sections of the *mechanical code*. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and the title. The application of the referenced standards shall be as specified in Section 102.4 of the *building code*.

1501.2 Referenced codes: When indicated in this code, the following codes refer to provisions in the listed chapters of the *Administrative Code*:

Referenced code	Ohio Administrative Code chapters
<i>Building Code</i>	4101:1-1 to 4101:1-35
<i>Fire Code</i>	1301:7-1 to 1301:7-7
<i>Ohio Boiler and Pressure Vessel Rules</i>	4101:4-1 to 4101:4-10
<i>Plumbing Code</i>	4101:3-1 to 4101:3-13

1501.3 Referenced Standards.

Air Conditioning Contractors of America
1712 New Hampshire Ave, NW
Washington, DC 20009

ACCA**Standard****Reference****Number**

Manual D-95

Title

Residential Duct Systems

American National Standards Institute

11 West 42nd Street

New York, NY 10036

ANSI**Standard****Reference****Number**

Z21.8—1994 (R2002)

Title

Installation of Domestic Gas Conversion Burners

Air-Conditioning and Refrigeration Institute

4101:2-15-01

9

Number Title
 SP-69-2003 Pipe Hangers and Supports—Selection and Application

North American Insulation Manufacturers Association
 Suite 310
 44 Canal Center Plaza
 Alexandria, VA 22314

**NAIMA
 Standard
 Reference**

Number Title
 AH116-02 Fibrous Glass Duct Construction Standards

National Fire Protection Association
 Batterymarch Park
 Quincy, MA 02269

**NFPA
 Standard
 Reference**

Number Title
 30A-03 Code for Motor Fuel-dispensing Facilities and Repair Garages
 31-06 Installation of Oil-burning Equipment
 37-06 Stationary Combustion Engines and Gas Turbines
 58-04 Liquefied Petroleum Gas Code
 69-02 Explosion Prevention Systems
~~70-0508 National Electrical Code (including TIA-05-2)~~
 72-0207 National Fire Alarm Code
 75-03 Protection of Information Technology Equipment
 82-04 Incinerators and Waste and Linen Handling Systems and
 Equipment
 85-04 Boiler and Combustion Systems Hazards Code
 91-04 Exhaust Systems for Air Conveying of Vapors, Gases, Mists and
 Noncombustible Particulate Solids
 92B-05 Smoke Management Systems in Malls, Atria and Large Spaces
 211-06 Chimneys, Fireplaces, Vents and Solid Fuel-burning Appliances
 262-02 Standard Method of Test for Flame Travel and Smoke of Wires
 and Cables for Use in Air-handling Spaces
 704-01 Identification of the Hazards of Materials for Emergency Response
 853-03 ~~Installation~~ Installation of Stationary Fuel Power Plants
 INSERT 70-05 NATIONAL ELECTRICAL CODE (INCLUDING TIA 05-2)

ACTION: Final

DATE: 12/14/2007 3:30 PM

4101:3-13-01 Referenced standards.

1301.1 General. This chapter lists the *codes and standards* that are referenced in various sections of *the plumbing code*. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and *the title*. The application of the referenced standards shall be as specified in Section 102.4 of *the building code*.

1301.2 Referenced codes. *When indicated in this code, the following codes refer to provisions in the listed chapters of the Administrative Code:*

<i>Referenced code</i>	<i>Ohio Administrative Code chapters</i>
<i>Building Code</i>	<i>4101:1-1 to 4101:1-35</i>
<i>Fire Code</i>	<i>1301:7-1 to 1301:7-7</i>
<i>Mechanical Code</i>	<i>4101:2-1 to 4101:2-15</i>
<i>Ohio Boiler and Pressure Vessel Rules</i>	<i>4101:4-1 to 4101:4-10</i>

1301.3 Referenced Standards.

American National Standards Institute
25 West 43rd Street, Fourth Floor
New York, NY 10036

**ANSI
Standard
Reference
Number**

Number	Title
Z4.3-95	Minimum Requirements for Nonsewered Waste-Disposal Systems- (Standard is developed by the Portable Sanitation Association International-PSAI)
Z21.22-99 (R2003)	Relief Valves for Hot Water Supply Systems with Addenda Z21.22a-2000(R2003) and Z21.22b-2001(R2003)- (Standard is developed by the Canadian Standards Association-CSA and is the same as CSA 4.4-M99)
Z124.1.2- 05	Plastic Bathtub and Shower Units (Standard is developed by IAPMO)
Z124.3- 05	Plastic Lavatories (Standard is developed by IAPMO)
Z124.4-96	Plastic Water Closet Bowls and Tanks(Standard is developed by IAPMO)
Z124.6-97	Plastic Sinks (Standard is developed by IAPMO)

4101:3-13-01

15

International Code Council
5203 Leesburg Pike, Suite 600
Falls Church, VA 22041

ICC

**Standard
Reference
Number**

Title

IFGC-06 International Fuel Gas Code®

Industry Safety Equipment Association
1901 N. Moore Street, Suite 808
Arlington, VA 22209

ISEA

**Standard
Reference
Number**

Title

Z358.1-04 Emergency Eyewash and Shower Equipment

National Fire Protection Association
Batterymarch Park
Quincy, MA 02269

NFPA

**Standard
Reference
Number**

Title

~~70-0508 National Electrical Code (including TIA-05-2)~~

99C-05 Gas and Vacuum Systems

INSERT 70-05 NATIONAL ELECTRICAL CODE (INCLUDING TIA 05-2)

NSF International
789 Dixboro Road
Ann Arbor, MI 48105

NSF

**Standard
Reference
Number**

Title

**NEIHEISEL ELECTRIC, INC.**43287 Columbiana-Waterford Road
Columbiana, Ohio 44408

(330) 482-9511

Fax (330) 482-0936

Ohio License #16158

January 3, 2008

John Sudon
Sudon Brothers, Inc.
1816 East Liberty Street
Girard, OH 44420

John,

As per our conversation on 12/31/07, the wiring cost of an average 2200 - 2400 sq. ft. home will increase by approximately \$ 1,200.00, due to the 2008 National Electric Code changes. Re: Requiring of arc fault breakers on all 120V circuits; child proof receptacles including GFI's; all kitchen, garage, garage door & sump circuits must be GFI.

I don't agree with the implementing of these changes at this time - the industry doesn't need to deal with any additional price increases - as housing is already at an all time low.

Sincerely,

Steve Neiheisel, Pres.
Neiheisel Electric, Inc.

Received Time Jan. 3. 4:05PM



A DIVISION OF TOBIN ENTERPRISES, INC.

7694 Strausser St., N.W. North Canton, Ohio 44720 Phone (330) 497-9744

December 27, 2007

Vince Squillace
Ohio Home Builders Association
17 South High Street; 7th Floor
Columbus, Ohio 43215

Dear Vince,

Previously, at the Fall Board Meeting there were discussions on the 2008 Electrical Code and the significant changes we could expect. Working with our electrical contractor, we have done an economic impact analysis using a home that we recently completed and sold. The home is a 1,747 square foot ranch design built in Aberdeen Glen in Jackson Township. This is under the Stark County Building Inspection Department.

Our electrical contractor used the new 2008 code to reprice the home built this year under the 2007 code. Much to our surprise and dismay, the cost impact is \$1,198.00 more than the actual costs this year. This represents a 22% increase over the 2007 electrical costs. It is obvious that this recent code change will have a significant impact on affordable housing in Ohio.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred W. Tobin", with a long horizontal flourish extending to the right.

Fred W. Tobin



David Happoldt
3255 Easton St. N.E.
Canton, Ohio 44721
330/491-0289

INVOICE

DATE	INVOICE #
10/13/2007	

BILL TO	Job Address
Tobin Const	2860 Wickford
	<i>BUILT to 2007 CODE</i>

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
200 Amp Service		1	780.00	780.00
Air Conditioner	Hook Up	1	195.00	195.00
Arc Fault	15 Amp Breaker	2	35.00	70.00
Bath Circuit	20 Amp.	2	75.00	150.00
Dishwasher	Hook Up	1	45.00	45.00
Disposal	Hook Up	1	45.00	45.00
Door Chime	1 Door	1	50.00	50.00
Electric Dryer	40 FT. or Less	1	160.00	160.00
Electric Permit		1		155.00
Electric Range	40 FT. or Less	1	160.00	160.00
Flush Light	Installation Only	18	15.00	270.00
G.F.C.I.	Recept. or Faceless	9	25.00	225.00
Garage Door Opener	Hook Up	2	65.00	130.00
Gas Furnace	Hook Up	1	80.00	80.00
Install Under Counter Light		2	15.50	31.00
Microwave Circuit		1	75.00	75.00
Openings Outside		138	15.50	2,139.00
Receptacle		3	25.00	75.00
Paddle Fan	Assembly & Installation	3	25.00	75.00
Paddle Fan Boxes		3	25.00	75.00
Post Light	40 Ft or Less/Ditching by Others	1	55.00	55.00
Hook Up Smoke Detector		5	50.00	250.00
Sump Pump	Hook Up	1	50.00	50.00
Washer Circuit		1	75.00	75.00
Paid on Rough		1		2,800.00

Total 2,815.00

2701/430

*TOTAL COST: * 5415.00*

✓ 20753

INVOICE



David Happoldt
3255 Easton St. N.E.
Canton, Ohio 44721
330/491-0289

DATE
 12/26/2007

INVOICE #

BILL TO

2008 ELECTRICAL CODE

Job Address

2860 Wickford

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
200 Amp Service		1	780.00	780.00
Air Conditioner	Hook Up	1	195.00	195.00
Arc Fault	15 Amp Breaker	15	77.00	1,155.00
Bath Circuit	20 Amp.	2	75.00	150.00
Dishwasher	Hook Up	1	45.00	45.00
Disposal	Hook Up	1	45.00	45.00
Door Chime	1 Door	1	50.00	50.00
Electric Dryer	40 FT. or Less	1	180.00	180.00
Electric Permit		1		155.00
Electric Range	40 FT. or Less	1	180.00	180.00
Flush Light	Installation Only	18	15.00	270.00
G.F.C.I.	Recept. or Faceless	9	25.00	225.00
Garage Door Opener	Hook Up	1	65.00	65.00
Gas Furnace	Hook Up	1	80.00	80.00
Microwave		1	75.00	75.00
Circuit Openings		138	16.50	2,277.00
Outside		3	25.00	75.00
Receptacle		3	25.00	75.00
Paddle Fan	Assembly & Installation	3	25.00	75.00
Paddle Fan Boxes		1	55.00	55.00
Post Light	40 Ft or Less/Ditching by Others	1		
Hook Up		5	50.00	250.00
Smoke Detector		1	50.00	50.00
Sump Pump	Hook Up	1	75.00	75.00
Washer Circuit		2	15.50	31.00
Install Under Counter Light				
GFCI Breaker	15 AMP or 20AMP	1	40.00	40.00

Price Before Code Changes \$5,415.00
 Difference of \$1,198.00

Total

6,813.00



PO Box 344
Perry, OH 44081
Phone: 440-259-1076
Fax: 440-259-1075
Ohio License #35322

LICENSED ELECTRICAL AND MAINTENANCE CONTRACTOR

December 12, 2007

Nate Coffman
Home Builders Association of Greater Cleveland
6140 West Creed Road
Cleveland, OH 44131

216-447-8700

Dear Nate:

Attached is a list of some of the code changes that will affect all residential contractors and builders.

1. **Section #210.4(B)** – The paragraph has been reworded to make it mandatory that all ungrounded conductors of a multi-wire branch circuit must have a disconnecting means which opens all conductors simultaneously at the point of origin. This means that all 12/3 and 14/3 Romex will have a 2 pole circuit breaker now.
2. **Section #210.4(D)** – This is a new section (paragraph). This section requires the ungrounded and grounded conductors of each multi-wire branch circuit be grouped by wire ties or similar means in at least one location within the panel board or point of origin. This should not greatly impact the cost, although more time is required to terminate the wires in a panel.
3. **Section 210.8(A) (2)** – The revised section deletes the two exceptions allowing standard receptacles in a dwelling unit garage and accessory building(s) if certain conditions are met. The 2005 code book allowed non-GFCI protected receptacles provided they were not readily accessible or those installed for a dedicated appliance, as well as those receptacles in basements that were for dedicated appliances. The two exceptions have been deleted. Assume now that all such installed receptacle outlets will require GFCI protection. This includes the Garage door opener, sump pump, basement, etc.
4. **Section 210.52(E) (3)** – This is a new paragraph that states “Balconies, decks, and porches that are accessible from inside the dwelling unit shall have at least one receptacle outlet installed within the perimeter of the balcony, deck, or porch. The receptacle shall not be located more than 2.0 m (6 ½ ft) above the balcony, deck, or porch surface”. The only exception to this is if the “total usable area is less than 1.86m² (20 ft²)”.
5. **Section 210.12(B)** – Arc Fault Circuit Interrupter Protection – In the new code book, **ALL** 120 volt 15 and 20 amp branch circuits supplying the family room, dining room, living room, parlor, library, den, bedroom, sunroom, rec room, closet, hallway, or similar room of dwelling units shall have AFCI protection of the combination type. Basically, **ALL** circuits within the home except those that are protected by GFCI (kitchen, bathroom, garage, etc.).

Continued, Page 2



PO Box 344
Perry, OH 44081
Phone: 440-259-1076
Fax: 440-259-1075
Ohio License #35322

December 12, 2007

Code Changes, Continued

6. **Section #406.8(A) – Damp Locations and Section #406.8(B) –Wet Locations:**
A line has been added at the end of the paragraph stating that “ALL 15 and 20 ampere, 125- and 250- volt non-locking receptacles **SHALL** be a listed weather-resistant type”. Note that this line has been added to the end of BOTH paragraphs. The manufacturers are designing this type of receptacle now, and costs at the time of this writing have not been provided to me.
7. **Section #406.11 – Tamper Resistant Receptacles in Dwelling Units** – This is a new section which states “In all areas specified in 210.52, ALL 125 Volt, 15 and 20 Ampere receptacles shall be listed tamper-resistant receptacles”. Section 215.52 specifies all of the requirements for receptacles in Dwelling Units. ALL receptacles within the home are covered here, which implies that ALL receptacles now must comply with the new Tamper Resistant requirement. The new style receptacle for homes will be approximately 3 times the cost of the receptacle that we currently use. Exact costs are not yet known.

As stated earlier, this list is to point out that the costs associated with the electrical for new construction homes will rise dramatically. The AFCI breakers alone will add anywhere from \$500.00 and up to the cost.

I hope that this information assists you, and if I can be of further help please don't hesitate to contact me.

Best regards,

Steven Ford
President

Kris Klaus

From: Chad Seagraves [cseagraves@woh.rr.com]
Sent: Thursday, January 10, 2008 8:42 AM
To: Kris Klaus
Subject: New code

To whom it may concern,

My name is Chad Seagraves, I own/operate ACE Electric & Service in Troy, OH. We are members of the Miami County HBA. I am writing concerning the new electrical code about ARC Fault breakers. I have spoken with my suppliers about the cost of the new ARC fault breakers and I have figured that the cost increase for this new code would raise prices around \$600.00 for a home that is around 2000 sq'. The price will be greater on larger homes. Each breaker will cost around \$40.00 each. with a 2000 sq' home having around 15- single pole circuits. That cost does not include time for the electrician to wire these breakers into the panel. The new breakers have pig tails that have to be cut to size in order to keep a panel looking nice and professional. Also we must keep in mind the fact that these breakers will cause nuisance tripping that the average home owner will not understand. This will require service calls by Contractors and electricians without a doubt. Which equals more time and money from this new code.

Thank you,
Chad Seagraves (owner) OH# 14149
ACE Electric & Service
Troy, OH. 45373
cseagraves@woh.rr.com