



H.B. 89

125th General Assembly
(As Introduced)

Reps. McGregor, Webster, Allen, DeBose

BILL SUMMARY

- Directs the Board of Building Standards to adopt by rule the security features specified in the bill for exterior doors, windows, and sliding glass doors, to apply to the construction of new apartment buildings, the renovation of existing apartment buildings, and the replacement of windows, doors, and lighting in any new or existing apartment building.
- Directs certified building departments and the Superintendent of Industrial Compliance to provide owners of existing apartment buildings with written notice of the new rules.
- Requires owners of existing apartment buildings to bring sliding glass doors into compliance with the rules within times specified in the bill.
- Requires that owners of buildings that violate the new security lock rules receive notice of the violation and be given time to correct the violation.
- Establishes that a violation of the rules is a misdemeanor of the fourth degree, with each day of a violation constituting a separate and complete offense.

CONTENT AND OPERATION

Background--Ohio Board of Building Standards

The Ohio Board of Building Standards formulates and adopts rules governing the erection, construction, repair, alteration, and maintenance of most types of buildings in the state, with major exceptions being single-family, two-family, and three-family residences and manufactured homes. The rules are enforced by municipal, county, and township building departments that are certified by the Board, by certified personnel of building departments, and by the

Superintendent of the Division of Industrial Compliance of the Department of Commerce where there is no certified building department with jurisdiction. (Sec. 3781.10, not in the bill.)

Safety is specified as one purpose of the rules, and safety measures in existing rules include requirements for smoke detectors systems for apartments that exceed 75 feet in height. Under existing law, eliminated by the bill, the Ohio Board of Building Standards is directed to adopt a rule that requires a deadbolt or equivalent security lock in the exit door for housing units in apartment buildings and multi-unit buildings. (Sec. 3781.103.)

The bill's requirements for apartment safety

The bill requires the Board of Building Standards to adopt by rule the bill's specifications for exterior doors, including sliding glass doors, exterior windows, and exterior lighting. The following are the specifications that the bill requires the Board of Building Standards to adopt by rule:

Single, swinging exterior doors of units

(sec. 3781.103(A)(1))

Single, swinging exterior doors of units must:

- Be constructed either of solid core wood of not less than one and three-eighths inches thick or of insulated steel.
- Have one-fourth inch double pane insulated safety glass in any vision panel that is within forty inches of the inside locking device.
- Be hinged on the interior, have nonremovable pins, or be of an interlocking stud type that has nonexposed screws.
- Have at least one dead bolt lock with a minimum one-inch throw that is key operated from the exterior and that has a thumb turn interior operation.
- Have a reinforced strike plate that is installed with three-inch screws.
- Have a reinforced doorjamb in the area of the strike plate.
- Include a wide-angle viewer allowing for a 180° view if the door is a main or front door.



Sliding glass doors in exterior walls of units, accessible from the outside

(sec. 3781.103(A)(2))

Sliding glass doors in exterior walls of units that are accessible from the outside must:

- Be constructed of double pane insulated safety glass.
- Have sliding or movable sections tracked on the interior.
- Have an eye bolt style chained pin lock installed not less than 30 inches nor more than 36 inches from the floor.
- Not incorporate any screws, bolts, nails, staples, or other fasteners that are accessible from the exterior side, the removal of which would permit entry after partial or complete disassembly of the unit.

Other exterior doors

(sec. 3781.103(A)(3))

All exterior doors not otherwise described must:

- Be hinged on the interior, have nonremovable pins, or be of an interlocking stud type that has nonexposed screws.
- Have a reinforced strike plate installed with three-inch screws.
- Have a reinforced doorjamb in the area of the strike plate.
- Have a dead bolt lock consistent with the requirements of section 813.4.1 of the Ohio Basic Building Code.
- Have sliding bolt locks on top and bottom of one movable frame of French-style doors if both doors open.

Exterior windows

(sec. 3781.103(A)(4))

All exterior windows must:

- Have interior hinges or nonremovable hinge pins with nonexposed or nonremovable screws.



- Have an auxiliary chained pin lock if the window is double hung or sliding.
- Have removable crank handles if the window is casement, except that any window required for emergency egress in a sleeping area may not have a removable crank handle.
- Be installed with the movable window on the interior track.
- Be constructed so that the window cannot be removed from the frame from the outside when the window is fixed or locked, unless the window opening is protected by intrusion security devices.

Exterior lighting

(sec. 3781.103(A)(5))

All exterior lighting must:

- Be sufficient at each exterior entrance to recognize physical features.
- Be activated by dusk-to-dawn photocells.
- Be sufficient for a dwelling unit number to be visible at a distance of 30 feet.

Application

The rules that the bill requires apply to the construction of new apartment buildings, the renovation of existing apartment buildings, and the replacement of windows, doors, and lighting in new and existing apartment buildings. Owners of existing apartment buildings must bring those buildings into compliance with the requirements for sliding glass doors within the time limits the bill specifies. (Sec. 3781.103(B).)

Notice of rules and violations

The bill directs the certified building department having jurisdiction or the Superintendent of the Division of Industrial Compliance of the Department of Commerce, if there is no certified building department, to provide notice of the rules to the owner of each existing apartment building within 90 days following the adoption of the rules. (Sec. 3781.103(B)(3).)

Under the bill, the certified building department or the Superintendent of Industrial Compliance also is responsible for notifying building owners of a



violation of the rules that place the health, safety, or welfare of the occupants at risk. Notices must be in writing, specify the nature of the violation, and be delivered in person or by certified mail, addressed to the owner's last known residence. The bill requires the owner to be granted a reasonable time, not to exceed 90 days, to correct the violation. If the violation is not corrected within the given time, the bill directs the certified building department or the Superintendent of Industrial Compliance to inspect the building and on finding that the violation still exists, issue an additional notice of violation and post that additional notice in a conspicuous place in or about the building property. (Sec. 3781.103(C).)

Violation is misdemeanor

The bill specifies that a person who violates the rules is guilty of a misdemeanor of the fourth degree, and each day that a violation continues constitutes a separate and complete offense. (Sec. 3781.103(D).)

Definitions

The bill provides the following definitions.

"Apartment building" means any building that contains four or more dwelling units. "Apartment building" does not include a hotel as defined in section 3731.01 of the Revised Code, which governs hotels. (Sec. 3781.013(E)(1).)

"Dwelling unit" means a room or group of rooms providing complete living facilities, including permanent provisions for living, cooking, dining, sleeping, and sanitation, arranged, maintained, or designed to be occupied by a single family, and occupied by a family, individual, or group of individuals. (Sec. 3781.013(E)(2).)

"Owner" means the owner of an apartment building and includes a holder of title, subject to a contract of purchase, a vendee in possession, a mortgagee, receiver in possession, a lessee, an agent, or any persons, firm, corporation, or fiduciary directly in control of the premises. (Sec. 3781.013(E)(3).)

"Safety glass" means glass that meets the requirements of the federal Consumer Products Safety Commission, safety standard for architectural glazing, 16 CFR Part 1201. (Sec. 3781.013(E)(4).)

"Security bar" means a hinged bar that when attached to a sliding glass door, swings down into position so that the door cannot be opened without raising the bar. (Sec. 3781.013(E)(5).)



HISTORY

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