

## **Building Codes Structures Board**

### **Rescheduled meeting minutes**

**December 9, 2009**

**Members present:** Martin Brown, acting Chairman  
Chris Davis  
Terry Dieter  
Rene Gonzalez  
Eric McMullen  
Steven Wood

**Members absent:** Bruce Dobbs  
Thomas Sjoström  
Bill Wellard

**Staff present:** Chris Huntington, policy and technical services manager  
Richard Rogers, structural program chief  
Shane Sumption, code specialist  
Andrea Fogue, legislative and green building manager  
Jim Hanson, policy analyst  
Ree Armitage, policy analyst  
Shauna Parker, rules coordinator  
Debi Barnes-Woods, boards coordinator

**Guests Present:** John Caul, Oregon State Fire Marshal's Office  
James Bela, president and founder of Oregon  
Earthquake Awareness

### **I. Board business**

#### **A. Call to order**

Acting Chairman Martin Brown called the Building Codes Structures Board meeting to order at 9:30 a.m. The meeting was held at Building Codes Division, Conference Room "A," 1535 Edgewater Street NW, Salem, Oregon.

#### **B. Roll call**

Bruce Dobbs and Thomas Sjoström were both absent excused. Bill Willard was absent unexcused.

#### **C. Approval of agenda and order of business**

Acting Chair Brown **RULED** the agenda approved.

#### **D. Approval of the July 8, 2009 regular board meeting minutes**

Acting Chair Brown **RULED** the July 8, 2009 board meeting minutes approved.

#### **E. Date of the next regularly scheduled meeting**

February 3, 2010

#### **F. Board review 2010 board meeting dates.**

## **II. Public comment**

James Bela, president and founder of Earthquake Awareness, noted that alternate methods can go below the minimum structural requirements.

## **III. Reports**

### **A. Building Codes Division administrator's report**

Manager of Policy and Technical Services Chris Huntington highlighted staff changes at the division noting that Mark Long is still at the Oregon Department of Energy as the Acting Director, which means Patrick Allen continues to serve as acting administrator of Building Codes Division. Andrea Simmons, recently appointed to acting deputy administrator of Building Codes Division, has accepted a promotional opportunity at the Oregon Department of Energy. The division recruited for an acting deputy administrator and hired Berri Leslie from the Division of Finance and Corporate Securities. Manager Huntington introduced Andrea Fogue as the new legislative and green building manager for the division and also introduced Ree Armitage as policy analyst in the policy and technical services section.

Manager Huntington reviewed the BCD Update packet noting some of the legislative and rulemaking activities.

House Bill 2200 aligns the boiler and elevator programs administratively and updates fees. A temporary rule was filed effective July 16, 2009 with anticipation of a permanent rule to be effective January 1, 2010.

House Bill 3462, passed by the 2009 Legislature, has two major components related to inspector certification.

- It authorizes the division to establish renewal periods and fees for certifications (Phase I).
- Then it authorizes the division to create a pilot program to develop specialized inspector certifications and training. (Phase II).

A committee was established and has completed its work, which focused exclusively on implementing the first phase of HB 3462 rulemaking dealing with the inspector and building official certification renewal periods, processes, and fees. The Public Hearing is scheduled December 10, 2009. The anticipated effective date for Phase I rules is July 1, 2010.

Rulemaking for Phase II, which allows for a separate process, will begin later this fall. Manager Huntington noted that the legislature has authorized this pilot process to run for seven years as a trial period. If the program is a success, then the division will take it back to the legislature to make it permanent.

The membership of the new Construction Industry Energy Board is now complete and is available for viewing on the division's Web site at

<http://www.cbs.state.or.us/external/bcd/boards/energy/energy.html#members>

The first meeting is scheduled for Tuesday, February 23, 2010.

Manager Huntington discussed Senate Bill 79, outlining what the bill accomplishes:

- Creates a task force on energy performance scores
- Requires an increase in the energy efficiency of 15-25 percent in commercial structures and 10-15 percent in residential structures by 2012
- Authorizes the development of a voluntary “reach code” containing construction methods for achieving higher levels of energy efficiency than under the statewide codes

Manager Huntington discussed the division’s process of forming a committee to prepare for the adoption of the nation’s first statewide Solar Energy Code. The committee has met 4 times and is in the process of reviewing firefighter access and the structural components that may be related to those types of installations. He noted that the division is focusing on photovoltaic. The new code will be known as an 80-percent code, which means that the solar code is not intended to cover all types of potential solar installations. The division is anticipating an April 1, 2010 adoption date for the Solar Energy Code, which will be separate from the three other codes. The Construction Industry Energy Board will review the Solar Energy Code.

Manager Huntington then discussed the mandatory office closure dates for state agencies, which includes the Building Codes Division. He noted that on the specific dates the division is closed, the enforcement section will still be working. That section will be scheduled for alternate days off known as “floating furlough” days.

#### **IV. Communications**

##### **Update on the 2010 Oregon Structural Specialty Code adoption and an update on the 2010 Oregon Energy Code adoption**

The comment period for the 2010 Oregon Structural Specialty Code was extended to a later date due to comments received at the hearing. Because of those comments, the division anticipates receipt of additional comments that may result in changing the draft code. If changes occur, the board will be reviewing and making recommendations on the additional changes at its next scheduled meeting.

Manager Huntington noted that the energy provisions will be pulled out of the structural code to create a separate energy efficiency code. Additionally, the division has moved away from an Oregon code for the energy provisions and moved toward the International Energy Conservation Code developed by the International Code Council. Although the advisory committee has completed its meetings, there is more work to be done in order to insure that the energy code meets the statutory obligation for improvements in energy efficiency of at least 15-percent in the commercial energy code. The division is anticipating the likely effective date for the 2010 Oregon Structural Specialty Code, 2010 Oregon Mechanical Specialty Code, and the energy code to be July 1, 2010.

Jon Caul, Oregon State Fire Marshal's Office, noted that their office is still working on the fire sections of the code. Because the majority of the fire code is a maintenance code, the anticipated effective date is April 1, 2010. Mr. Caul noted that if there are changes to the fire sections then it may cause a delay in the effective date.

***Public comment:***

James Bela, president and founder of Oregon Earthquake Awareness, disagreed with the delay of the 2010 Oregon Structural Specialty Code. He suggested the board use its influence to keep to the proposed adoption date of April 1, 2010. He said that a code change proposal to the ICC was approved at the hearing level for cell-plate foundation anchorage, which would propose an issue if the structural code was delayed.

**V. Appeals – None**

**VI. Unfinished business - None**

**VII. New business**

**Board reviews the technical and scientific facts for Statewide Alternate Method OSSC/ORSC No. 09-01, Western juniper naturally durable wood**

Structural Program Chief Richard Rogers noted that the alternate method relied on studies conducted by Oregon State University's Forestry Department where the heartwood of Western Juniper was found to be equivalent in both its decay and termite resistant qualities to those species currently identified in the code as being "naturally durable." He also noted that the study is included in the board packet for board members to review. The division is asking the board to review and make a motion on the technical and scientific facts of the proposed alternate method.

***Public comment:***

James Bela, president and founder of Oregon Earthquake Awareness, said that a sample of the wood should be available for viewing, the cost of the wood should be available, and a map showing areas where there are termites should be available to see if Oregon does have a termite problem.

**Motion by Eric McMullen** to approve the technical and scientific facts of the proposed alternate method.

**Roll call vote taken:**

**Yea:** Steven Wood, Eric McMullen, Rene Gonzalez, Terry Dieter, Chris Davis,  
Acting Chair Brown

**Nay:** None

**VII. Announcements – None**

**VIII. Adjournment**

Acting Chair Brown adjourned the meeting at 10:45 a.m.

Respectfully transcribed and submitted by,

Debi Barnes-Woods  
Division Boards Coordinator