

State of Oregon
Draft

Agenda
Item
I.D

Residential and Manufactured Structures Board

Re-scheduled board meeting minutes

December 8 2010

- Members present:** Ray Miller, Chairman
David DeHarpport, Vice-chair
Peter Bride
Scott Caufield
Bruce Dobbs
Mike Goodrich
Kathryn Gray
Larry Hultberg
Douglas Lethin
John Mills
- Members absent:** None
- Staff present:** Patrick Allen, administrator
Chris Huntington, manager, policy and technical services
Richard Rogers, structural program chief
Celina Paterson, manager, statewide services
Aeron Teverbaugh, green building policy analyst
Brent Griffiths, lead enforcement officer
Tim Lindsey, central region coordinator
Jim Hanson, policy analyst
Richard Baumann, policy analyst
Debi Barnes-Woods, boards coordinator
- Guests present:** Don Miner, Oregon Manufactured Housing Association
James Bela, president, Oregon Earthquake Awareness
John Caul, Oregon State Fire Marshal's office
Randy Simpson, representing fire industry
Chris Vick, League of Oregon Cities
Don Denton, consultant for the Air conditioning
Sue Walker, Vent-Free Gas Products Alliance
Don Leonard, Pacific Propane Gas Associate
Johnathan Balkema, Oregon Homebuilders Association
Sherry Patterson, Lakefield Fire District
Kirk Kirchner

Lana Butterfield, Pacific Propane Gas Association
Carl Tracy, Mega Distribution
Gary Lampella
Andrew Krauss, Western Outdoor Wholesale

I. Board business

A. Call to order

Chairman Ray Miller called the Residential and Manufactured Structures Board meeting to order at 9:40 a.m. The meeting was held at the Building Codes Division, Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

No members were absent.

C. Approval of agenda and order of business

Chair Miller **RULED** the agenda and order of business approved.

D. Approval of the board meeting minutes of July 7, 2010

Chair Miller **RULED** the regular meeting minutes of July 7, 2010 approved.

E. Date of the next regularly scheduled meeting

January 5, 2011

F. Review 2011 board meeting dates. January 5, April 6, July 6 and October 5, 2011

G. Election of member of the Construction Industry Energy Board

Chris Huntington, Manager of Policy and Technical Services, explained the election process and noted that Mike Goodrich fills one of the two positions that represent the Residential and Manufactured Structures Board.

Chair Miller opened the vote for nominations.

Vice-chair David DeHarpport nominated Bruce Dobbs for membership.

There being no other nominations, Bruce Dobbs was unanimously voted member of the Construction Industry Energy Board representing the Residential and Manufactured Structures Board.

II. Public comment

James Bela, President and founder of Earthquake Awareness, said that per the *Attorney General's Public Records and Meetings Manual* all public meetings need to be noticed.

III. Reports

A. Building Codes Division report

Manager Huntington announced BCD staff changes: Shane Sumption, formerly Fire & Life Safety Code Technician, accepted the newly combined position in the Policy and Technical Services and Green Building Services of the division as Assistant Manager. Manager Huntington also announced that when the new Governor takes office, the current director of the Department of Consumer and Business Services Cory Streisinger will be resigning to allow for the new governor-elect to appoint a new director.

SB 79/Reach Code: The committee was formed in April, which continues to meet. The committee finished with the commercial standards of the reach code and is preparing to start the residential side of the reach code. Notice for code proposals will post today for residential code amendment proposals for the residential provisions of the reach code with a 45-day window closing January 24, 2011.

B. Program update

There was no program update to report other than what is listed on the agenda under new business.

IV. Communications - None

V. Appeals – None

VI. Unfinished business - None

VII. New business

Manager Huntington explained that due to individuals wanting to testify that have come from out-of-state, the issues under this agenda item were re-arranged to meet their air flight needs.

(submitted testimony documents)

G 2445.8 Unvented Room Heaters, code proposal No. 30 for moisture control submitted by Homebuilders Association. (Written testimony received by Oregon Homebuilders Association, Indoor Concentrations, Northern Energy, HPVA, Propane Gas Industry, Northwest Consulting, NPGA, Leader Equipment Co. Amerigas, Alliance)

Mike Ewert explained that the committee reviewed and approved the code change proposal No. 30 that created a new Chapter G 2445.8 submitted by the Homebuilders Association.

Public testimony

Don Denton, consultant for the Air conditioning, Heating and Refrigerator submitted written testimony opposing the submittal.

Sue Walker, Chairperson, Vent-Free Gas Products Alliance, was also opposing the code submittal. She noted that the Consumer Product Safety Commission has data that clearly states that vent free gas products are among the safest gas product on the market.

James Bela, President and founder earthquake awareness, noted that combustion appliances should not be put in a conditioned space.

Don Leonard, Pacific Propane Gas Associate, noted that the association is opposed to the code submittal. He noted that the proponent states that there is no cost impact. A heating controlled system would require a heating exhaust fan and a dehumidifier.

Johnathan Balkema, Oregon Homebuilders Association, submitted a late submittal to explain some of the further work of the code change committee. The new submittal clarifies the minimal cost of using a separate fan within the space actively being heated by the vent-free appliance. The original submittal was intended to use the existing bath fan required for spa and bathing facilities by only requiring those automated controls be a humidistat the original proposal was to be little to no additional cost as automated control is already required.

Board member and staff discussion

Mike Goodrich spoke as a member of the code committee and as a homebuilder in supportive of the code proposal. He said that the Construction Claims Task Force worked hard in the past to insure that Oregon's homes were properly vented from moisture in kitchens and bathrooms. Mr. Goodrich said that this potentially large source of interior moisture should not be ignored.

Bruce Dobbs noted that there is merit to the proposal but felt more work needs to be done before approval. He noted that there would not be heat recovery ventilation in most older homes. Outside air would be either be brought in by leaky windows and under doors that would cause other condensation issues. He added that there is no interlock within the system, which would cause the system to constantly run or not to run at all.

Vice-chair David DeHarpport said that he was a member of the Construction Claims Task Force and said that this issue with moisture control appliances did not get reviewed or approved. He also stated that at the National level the

International Code Council did not look at any moisture proposals related to appliances.

Manager Huntington advised the board of options of further working with the proponent for preparation of this upcoming adoption or for the mid-cycle code amendment process.

Motion by Vice-chair DeHarpport to disapprove Section G 2445.8 Moisture Control ORSC 11-30.

Roll call vote taken

Aye: Jon Mills, Douglas Lethin, Larry Hultberg, Bruce Dobbs, Peter Bride, VC DeHarpport and Chair Miller

Nay: Kathryn Gray, Mike Goodrich and Scott Caufield

Motion carried

VII.A.5. and 6.

Manager Huntington explained that the discussion will be related to the code committee's recommendation to delete from Model Code Section R 313 and to adopt Appendix S and T. ([submitted testimony documents](#))

- 5. Board review and provide recommendations for proposed BCD-11, revisions to 2011 Oregon Residential Specialty Code Appendix S, Local Residential Sprinkler Ordinance**
- 6. Board review and provide recommendations for proposed change BCD-12, revisions to 2011 Oregon Residential Specialty Code Appendix T, Alternate Standard for the Installation of Dwelling Unit Fire Sprinkler**

Administrator Patrick Allen reviewed the history of the fire sprinkler appendix during the last code cycle. Instead of the Appendix being put into Oregon code, a report was issued by the division for local jurisdictions to adopt a Fire Sprinkler Ordinance. At the National level the Appendix was moved into the body of the code.

Public testimony

John Caul, Oregon State Fire Marshal's office, read a letter into the record from Eric McMullen, Building Codes Structures Board member, not supporting the recommendation from the committee to delete Section R 313.

Randy Simpson, Oregon State Fire Marshal, agrees with Eric McMullen's testimony letter and urges the board to strike the proposed limitation on System Development Charge's (SDC) from Appendix S.

Chris Vick, League of Oregon Cities, opposes the SDC provision found in Appendix S. He said the particular provision would restrict the SDC's that water purveyors may assess for use of the larger water meters required to service the residential fire sprinkler systems in one and two-family dwellings and townhouses.

James Bela, President and founder of Earthquake Awareness, said that in the best interest of the consumer he is in favor of the proposed code changes.

Johnathan Balkema, Oregon Homebuilders Association, was in favor of the code committee's recommendations.

Sherry Patterson, Lakefield Fire District, is supporting the request for mandatory fire sprinklers in homes.

Mike Goodrich was a member of the code committee and reviewed there recommendation. The committee did not vote in favor of accepting the model code language that required mandatory statewide fire sprinklers in residential homes but did agree to a trade-off. The agreement was that the additional SDC from having a larger water meter was not to be charged to the homebuilder or to the buyer.

Lunch break (Peter Bride and Douglas Lethin was not present at 1:07 pm when the board reconvened from lunch break)

(Douglas Lethin and Peter Bride returned from lunch break prior to the vote)

Motion by Mike Goodrich to disapprove Section R 313.

Roll call vote taken

Yea: Jon Mills, Douglas Lethin, Larry Hultberg, Kathryn Gray, Mike Goodrich, Bruce Dobbs, Scott Caufield, Peter Bride, VC DeHarpport and Chair Miller

Nay: None

Motion carried unanimously

Motion by Scott Caufield to approve Appendix S as recommended by the code committee and further modified by BCD code change proposal 11 with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Roll call vote taken

Yea: Douglas Lethin, Kathryn Gray, Bruce Dobbs, Scott Caufield and Chair Miller

Nay: Jon Mills, Larry Hultberg, Mike Goodrich, Peter Bride and VC DeHarpport
Due to the vote being tied, motion fails

Motion by Mike Goodrich to approve Appendix T as recommended by the code committee and further modified by BCD code change proposal 12 with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Roll call vote taken

Yea: Jon Mills, Douglas Lethin, Larry Hultberg, Kathryn Gray, Mike Goodrich, Bruce Dobbs, Scott Caufield, Peter Bride, VC DeHarpport and Chair Miller

Nay: None

Motion carried unanimously

VII.A. Board review and provide recommendations for adoption of the 2011 Oregon Residential Specialty Code

It was decided to review the code chapter by chapter.

Chapter 1 Scope and Administration

Motion by Mike Goodrich to approve Chapter 1 as recommended by the code change committee.

Motion carried unanimously

Chapter 2 Definitions

Motion by Scott Caufield to approve Chapter 2 as recommended by the code change committee.

Motion carried unanimously

A.1. Board review and provide recommendations for proposed code change BCD-6, additional amendments adoption Section 315.1 of the 2011 Oregon Residential Specialty Code – Carbon Monoxide Alarms

Richard Rogers, structural program chief, explained that due to the passage of House Bill 3450 carbon monoxide alarms will now be required in all newly constructed Group R Occupancies as identified in Section 315 of the Oregon Structural Specialty Code.

Kathryn Gray left the meeting at 1:45 p.m.

Motion by Scott Caufield to approve Section 315.1 as recommended by the code committee and further modified by BCD code change proposal BCD-06 with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

VII.B. Board review and provide recommendations for proposed supplemental code change for new Section R326 in the 2008 Oregon Residential Specialty Code – Carbon Monoxide Alarms

Motion by Scott Caufield to approve R326 in the 2008 Oregon Residential Specialty Code as recommended by the code committee and further modified by BCD with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

VII.A. *Chapter 3 Building Planning*

Motion by Mike Goodrich to approve Chapter 3 as recommended by the code change committee and further modified by BCD code change proposal BCD-06 with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Douglas Lethin said that under R317.3 Fasteners, z-max hangers, zinc-coated hangers may be creating failure and a committee should look into it.

Roll call vote taken

Yea: Jon Mills, Larry Hultberg, Mike Goodrich, Bruce Dobbs, Scott Caufield, Peter Bride, VC DeHarpport and Chair Miller

Nay: Douglas Lethin

Motion carried

Chapter 4 Foundations

Motion by Scott Caufield to approve Chapter 4 as recommended by the code change committee

Motion carried unanimously

Chapter 5 Floors

Motion by Mike Goodrich to approve Chapter 5 as recommended by the code change committee.

Motion carried unanimously

Chapter 6 Wall Construction

Motion by Bruce Dobbs to approve Chapter 1 as recommended by the code change committee.

Chapter 7 Wall Covering

Motion by Mike Goodrich to approve Chapter 7 as recommended by the code change committee.

Motion carried unanimously

Chapter 8 Roof-Ceiling Construction

Motion by VC DeHarpport to approve Chapter 8 as recommended by the code change committee.

Motion carried unanimously

Chapter 9 Roof Assemblies

Motion by Scott Caufield to approve Chapter 9 as recommended by the code change committee.

Motion carried unanimously

Chapter 10 Chimneys and Fireplaces

Motion by Mike Goodrich to approve Chapter 10 as recommended by the code change committee.

Motion carried unanimously

A.2. Board review and provide recommendations for proposed code change BCD-19, revisions to 2011 Oregon Residential Specialty Code Chapter 11 Energy Efficiency

Assistant Manager Shane Sumption [distributed a memo](#) that provides necessary clarification for the application of Table N1101.1(2)

Motion by Scott Caufield to approve Chapter 11 Energy Efficiency as recommended by the code change committee and further modified by BCD code change proposal BCD-19 and modifications to N1101.1 General with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

VII.A. *Chapter 12-24 Mechanical Chapters (Action previous taken on unvented room heaters in Chapter 24)*

Motion by Mike Goodrich to approve Chapters 12-24 as recommended by the code change committee and to approve the further modifications to Chapter 24 with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

A.3. Board review and provide recommendations for Oregon amendment relative to radon gas mitigation standards required by SB 1025 (2010), for inclusion in the 2011 Oregon Residential Specialty Code and amending the 2008 Residential Specialty Code ([submitted testimony documents](#))

Richard Rogers, structural program chief, explained that 2 separate actions are required:

1. Approve a code change adopting radon mitigation standards amending the 2011 edition of the ORSC for public hearing with an effective date of July 1, 2011
2. Approve a code change adopting radon mitigation standards amending the 2008 edition of the ORSC for public hearing with an effective date of April 1, 2011

Mr. Rogers further explained that the board must choose between the 2 exhibits, Exhibit A (submitted by the Building Codes) or Exhibit B (submitted by Oregon Home Builders Association, [submitted housekeeping modifications](#)) (document showing [differences between Exhibit A and Exhibit B](#) prepared by Oregon Home Builders Association)

Motion by Mike Goodrich to approve Exhibit B as modified to the 2011 ORSC adopting a standard for the mitigation of radon and send to public hearing, with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

Motion by Mike Goodrich to approve Exhibit B as modified to the 2008 ORSC adopting a standard for the mitigation of radon with applicability to initial building permits issued on or after April 1, 2011 and send to public hearing, with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

VII.A. *Appendix E, G, H, K, R*

Motion by Scott Caufield to approve the continuous use of Appendix E, G, H, K and R.

Motion carried unanimously

Motion by Scott Caufield to approve the committee's code change recommendations as modified to adopt the residential structural and mechanical provisions of the proposed 2011 ORSC for public hearing and

subsequent adoption with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

A.4. Board review and provide recommendations for proposed code change to Appendix N new Section AN115 Radon ([Late submission submitted](#)) [Amended item distributed with additions.](#)

Motion by Peter Bride approve the proposed code change Appendix N new Section AN115 as recommended by the code change committee and to approve the further modifications adding new Section AN103.6 to Appendix N addressing carbon monoxide alarms with an effective date of April 1, 2011 and approving Radon Control Methods R-2 and R-3 Occupancies as proposed and send to public hearing with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Motion carried unanimously

VIII. Announcements – None

IX. Adjournment

Chair Miller adjourned the board meeting at
Respectfully submitted by,
Debi Barnes, Division Boards Coordinator