

FINAL
State of Oregon

Residential Structures Board

Regular meeting minutes

January 10, 2007

Members present: Ray Miller, S.E., P.E., chairman
David DeHarpport, P.E., vice-chairman (arrived at 9:40)
Darryl Bishop
Scott Caufield
Mike Goodrich
Kathryn Gray (connected by telephone)
Kathleen Poole (arrived at 9:40)

Members absent: Phil Damiano
Douglas Lethin

Staff present: Andrea Simmons, policy and technical services manager
Richard Rogers, structural program chief
Joanie Stevens-Schwenger, communications manager/regional coordinator
Ravi Mahajan, P.E., board secretary and code facilities engineer
Roseanne Nelson, enforcement and licensing assistant manager
Heath Lawson, enforcement officer
Paul Persson, enforcement officer
Celina Patterson, policy analyst
Marianne Manning, boards coordinator

Guests present: Lori Graham, City of Portland
John Caul, Oregon State Fire Marshall
Patrick Bridges, Oregon Home Building Industry Association (OHBIA)
Jon Nichols, Icynene
Pat Bullion, Icynene
Alan Seymour, Oregon Department of Energy
Betty Merrill, Oregon Department of Energy

I. Board business

A. Call to order.

Chairman Ray Miller called the Residential 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

Phil Damiano and Douglas Lethin were absent, excused.

C. Approval of agenda and order of business.

Chairman Miller **RULED** the agenda approved with item III.B. heard before item III.A.

D. Approval of the December 1, 2006 board meeting draft minutes.

Chairman Miller **RULED** the December 1, 2006 board special teleconference meeting minutes approved.

E. Date of the next regularly scheduled meeting.

April 4, 2007.

II. Public comment

James Bela, president of Oregon Earthquake Awareness, distributed a copy of Federal Emergency Management Agency (FEMA) publication 232, Homebuilders' Guide to Earthquake-Resistant Design and Construction (a 212 page book available to the public from FEMA) along with [handouts](#) and expressed his concerns about construction and earthquake safety in Oregon.

III. Reports

(Agenda Item III.B. taken out of order)

B. Summary of enforcement action taken previously by the division for the case outlined on the enforcement board report. (No board action.)

Heath Lawson, enforcement officer, was present to answer questions. Board members had no questions.

Roseanne Nelson, enforcement and licensing assistant manager, introduced new employee Paul Persson, enforcement officer.

A. Administrator's report

Construction Claims Task Force.

Richard Blackwell, policy analyst, distributed and discussed the Construction Claims Task Force's [draft final report](#), recommendations, and updated the board on changes since his last presentation. The code changes recommended by the task force are performance-based and deal with moisture intrusion issues. Among the 11 recommendations, the task force is proposing a limited consumer assistance fund to provide financial relief to consumers with construction defect claims, and certification requirements for those who work on the building envelope. The task force recommended two new certification classes: a certified envelope specialist and a certified installer. A contractor need not be an envelope specialist but may hire one. The envelope specialist must verify that the work was completed before a certificate of occupancy is issued. The last meeting of the task force is January 12, 2007.

Project status update.

Andrea Simmons, policy and technical services manager, distributed and discussed an [update on division projects](#).

Web cast video streaming.

The division is testing a video streaming product that allows live broadcasts of division meetings over the Internet. Today's meeting is the first to be broadcast through the system. Video streaming over the Web will provide better access to public meetings. Eventually, all video-streamed meetings will be archived and available on the division's Web site.

Streamlining of license application and permitting processes continues, including online systems.

Administration provisions of all codes programs vary from program to program. Currently staff is researching the inconsistencies and will convene the board chair/vice chair group to craft administrative provisions that are consistent across all program areas.

Code book availability.

The 2007 Oregon Structural Specialty Code and 2007 Oregon Mechanical Specialty Code will be available for purchase by the end of January 2007 and will also be available, in conjunction with International Code Council, on the Web in a read-only format.

Achieving consistency and streamlining enforcement tools continues.

The division continues to identify corporate name changes that enable egregious violators to continue work, to quickly act on life safety issues, and to provide outreach to other state agencies in enforcement actions.

Manager Simmons discussed fee change and appeal processes in place for local jurisdictions.

Transition periods for code adoption eliminated.

In the past, the division allowed a transition period of roughly three months to allow the construction and design communities to adjust to the new code, because the newly printed code arrived at the time of adoption. This year the code will arrive at least two months before adoption, allowing the construction and design communities ample time to study and adjust specifications to the new codes. Therefore, no "transition period" is anticipated this year. Ravi Mahajan, P.E., board secretary and code facilities engineer, indicated that people with plans in process during a new code adoption could utilize an alternate method design request.

C. Legislative update.

Manager Simmons distributed and discussed legislative concepts and proposed bills.

Legislative concept (LC) 634: This concept makes certain boilers and pressure vessels in single-family dwellings, and certain water heaters, subject to municipal building inspection programs. This bill also revises permit definitions and requirements, defines inspection requirements and the duties of a special inspector. It will allow the division to grant an exemption from regulation for certain boilers and pressure vessels.

LC 575: The primary focus of this concept is to allow the division to suspend or revoke a license that involves egregious violations without going to hearing first. It will also expand list of building trade law violations qualifying as grounds for sanctions against a construction contractor license.

LC 785 (E-permitting): This program allows 24-hour access 7 days a week to a wide variety of building codes services including plan review, permitting, and inspection and permit tracking. The program would be funded by a four percent surcharge on all building permits.

House Bill 2219: This proposed bill builds on House Bill 2181 (2005) by continuing efforts for consistent licensing procedures. Draft copies were taken to the board chair/vice-chair group keeping them involved in the process.

D. Program update.

Code adoption.

Manager Simmons presented an [updated timeline](#) for the coming year's code adoption process and distributed a copy of a letter the division sent to interested parties seeking stakeholder volunteers for a Residential Specialty Code Review Committee. Board members Ray Miller and Dave DeHarport volunteered to be members of the committee. Manager Simmons reported it was the goal of the division to decrease the number of Oregon amendments made to all specialty codes. Reducing change decreases negative impact on small business by reducing cost impacts.

Appendix Chapter "O" task force.

Richard Rogers, structural program chief, announced he is convening a task force to review and potentially remove or amend Appendix Chapter O from the current Oregon Residential Specialty code, which addresses row house construction in Oregon. Appendix O has flexibility that has been successful with designers, but model code language regarding townhouses could be utilized in place of Appendix O. Mr. Rogers distributed a [list of committee volunteers for the Appendix O Task Force](#). Board member Mike Goodrich is a member of this task force.

IV. Communication

A. Statewide and pilot program online permitting presentation.

Joanie Stevens-Schwenger, communications manager/regional coordinator, distributed and discussed a presentation about the state's current pilot program for online permitting. This "Quick Permits" program allows 24-hour access 7 days a week to contractors for over-the-counter mechanical, plumbing and electrical permits. A legislative concept will propose the idea of a statewide e-permitting program that would allow local government to offer many services including electronic plan review.

Manager Stevens-Schwenger noted that the e-permitting pilot site is free to industry, correctly selects the jurisdiction responsible for issuing the permit, and links to building departments. The site helps customers instantly determine which services are available on a jurisdiction-by-jurisdiction basis through an "address locator." Once the contractor completes the electronic permit, an authorization to begin work is received via e-mail.

B. Request from Mac Sheldon, of Demilec LLC, to withdraw an alternate method petition heard by the board on April 5, 2006.

Ravi Mahajan, code facilities engineer, discussed the history of Mac Sheldon's petition for an alternate method and presented Mr. Sheldon's request to withdraw that petition. There were no objections from the board to the withdrawal.

V. Appeals – None

VI. Unfinished business – None

VII. New business – None

VIII. Announcements

Board member David DeHarpport noted he would not be able to attend the next board meeting.

IX. Adjournment

Chairman Miller adjourned the meeting at 12:09 p.m.

Respectfully submitted by,

Marianne Manning
Boards Coordinator