

**State of Oregon  
Final**

<b>Agenda Item I.D.1</b>
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**Residential Structures Board**

**Rescheduled board meeting minutes**

**January 23, 2008**

**Members present:** Ray Miller, Chairman  
David DeHarpport, Vice-chair  
Darryl Bishop  
Scott Caufield  
Phil Damiano  
Mike Goodrich  
Kathryn Gray  
Douglas Lethin

**Members absent:** None

**Staff present:** Mark Long, administrator  
Andrea Simmons, policy and technical services manager  
Richard Rogers, structural program chief  
Richard Blackwell, policy analyst  
Mike Ewert, code specialist  
Shane Sumption, code specialist  
Shauna Parker, rules coordinator  
Debi Barnes-Woods, boards coordinator

**Guests present:** Patrick Bridges, Oregon Home Builders Association (OHBA)  
Eric McMullen, Oregon Fire Marshal's Association  
Darrell D. George, City of Portland  
Phil Sample, Oregon Fire Chiefs  
Alan Seymour, Oregon Department of Energy (ODOE)  
John Caul, Deputy State Fire Marshal  
Pat Carroll, Office of State Fire Marshal  
Tari Glocar, Office of State Fire Marshal  
Donna Disch, Office of State Fire Marshal  
Brady Peeks, Oregon Department of Energy  
Earl Diment, Portland Fire and Rescue  
Jonathan Graves, Industrial Training Unlimited (ITU)

**I. Board business**

**A. Call to order**

Chair Ray Miller called the Residential Structures Board meeting to order at 9:30 a.m. The meeting was held at the Building Codes Division, Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

**B. Roll call**

All members were present.

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

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

**D. Approval of the December 11, 2007 board meeting minutes**

Kathryn Gray, change from absent, unexcused to absent, excused.

DeHarpport corrected the amended motion by Mike Goodrich, on page 7, to change “include” to “*exclude*” smoke alarms from the OHBA proposal.

DeHarpport clarified the amended motion by DeHarpport on page 7 to read: “*exclude* arc-fault circuit interrupters, as code requires, from the OHBA proposal.”

Corrections were approved by Mike Goodrich.

Chair Miller **RULED** the minutes of December 11, 2007 approved as amended.

**E. Date of the next meeting**

April 2, 2008

**II. Public comment**

Dwight Sheldon, Demilec USA, LLC. Discussed improving [energy conservation](#) in Oregon beyond the new energy code. According to the US Department of Energy, 40% of heat loss is through infiltration. Mr. Sheldon proposed we have a state wide alternate method approval to allow a person to completely air seal a home. Mr. Sheldon believes if this is done it could decrease energy costs significantly. Mr. Sheldon proposed amendments to the energy code language.

Chair Miller, suggested Mr. Sheldon work with Alan Seymour from the Oregon Department of Energy to develop something to be put on the agenda.

Jim Bela, Oregon Earthquake Awareness expressed dissatisfaction with the [code development](#) public process. Mr. Bela reviewed an article from The Los Angeles Times with findings from the [Witch fire](#) in San Diego County. Mr. Bela suggested that sprinkler systems in homes could increase fire protection.

**III. Reports**

**A. Building Codes Division administrator’s report**

Andrea Simmons, manger of policy and technical services, updated the board on the upcoming hearing on January 28, 2008 for [proposed residential fire sprinkler requirements](#).

Manager Simmons delivered an update to the board and reviewed contents of the [BCD Update](#) packet:

**E-Permitting:** The division is in the process of finalizing contracts for system software and will shortly be entering into the development phase of the project. The division is looking for jurisdictions to help develop the product. When fully operable, eBuilding Permits will make information easily accessible electronically. The system will allow for the electronic submission of plans, purchasing of permits, and scheduling inspections.

**Quick Permits:** The Quick Permits program is expanding. Twenty jurisdictions use the Quick Permits program. The division is working with other jurisdictions to sign up for the program. The program has become very successful, it provides convenience at a low cost, and seems to work well for both contractors and jurisdictions. The division is also considering expanding the services to mechanical, electrical and plumbing permits.

**Residential Code Adoption:** The division provided a timeline for the Oregon Residential Specialty Code Adoption. Testimony from the January 15, 2008 hearings for the electrical and plumbing code provisions is still being analyzed by the division. Some controversial topics in electrical included: arc-fault circuit interrupters, ground fault circuit interrupters and selective coordination. Controversies in plumbing included: back flow requirements and waterless urinals.

**Summary of Rulemaking Activities:** After each legislative session, the division focuses on implementing the legislation that passed. Accordingly, the division has prioritized bills passed during the 2007 session, which require rulemaking to be implemented. The focus has been on bills with emergency clauses or effective date of January 1, 2008. The division has also been working on several code adoptions and other non-code related rules. Rulemaking specifically discussed:

**HB 2478 - Certificate of Occupancy requirements:** A rulemaking hearing occurred in December. The division is in the process of revising some of the rule language due to the testimony. The rules will be filed with an anticipated effective date of April 1, 2008.

**Consistent Forms and Fee Methodology:** On January 16, 2008, a rulemaking hearing. The methodology used in the tri-county area is the model for this statewide effort. The effective date is to be determined.

SB 193, Phase II – The division is working with the plumbing board to allow tankless water heaters installed in residential structures to be permitted and inspected at the local level.

Manager Simmons reviewed the Alternate Method ruling for air admittance valves (AAVs).

Douglas Lethin questioned why there was a limit of three AAVs.

Manager Simmons reported that the division reviewed the practices of neighboring jurisdictions, such as Washington, which only allow AAVs when it is deemed there is an obstruction or barrier. The division determined that limiting the number to three creates a clear line for compliance.

Board member Lethin talked about remodeling projects where there may need to be more than three AAVs installed, because of obstructions. He was concerned that this limit might force contractors to use more costly means to complete the projects.

Board member DeHarpport wanted an update on additional training for building inspectors and continuing education for builders for the new building code coming into effect in April 2008.

Richard Rogers, structural program chief, replied that two ORSC RFPs have been awarded. One is aimed at the enforcement side and the other is for contractors and installers.

Board member Caufield added he was asked to be an instructor for the new code change class and he believes the first courses will be taught the third week in March at OBOA's Spring Institute.

**B. Program update- None**

**IV. Communications - None**

**V. Appeals – None**

**VI. Unfinished business**

**Review and concur with recommendations**

Manager Simmons, reviewed language change recommendations to the 2008 Oregon Low-Rise Residential Dwelling Code – Structural/Mechanical provisions, as a result of the public hearings held on November 20, 2007.

Manager Simmons also reviewed the proposed amendments to chapter 43, which is a list of standards that are cross-referenced throughout the code.

Manager Simmons wanted to make a correction to the proposed amendments to chapter 43. On page 43-11, 13D and 13R listed the 2002 standard, which should instead be the 2007 standard of the National Fire Protection Association (NFPA) documents.

Alan Seymour, ODOE, had updated references for chapter 43. The first was on page 43-1, the standard 450-00 for American Architectural Manufacturers Association (AAMA), should be the 450-05 standard.

On page 43-4 under American Society of Heating, Refrigeration and Air-Conditioning Engineers, Inc. (ASHRAE), the Fundamentals Handbook should be the 2005, not the 2001, edition.

The final change from Mr. Seymour was on page 43-12. The National Fenestration Rating Council (NFRC) standards listed: 100-2001, 200-2001 and 400-2001, should refer to the 2004 standards, not the 2001 standards.

Pat Bridges recalled the committee choosing the 2001 Fundamentals Handbook for ASHRAE over the current 2005 version due to some confusion in the 2005 handbook.

Chair Miller, asked for clarification from the committee members on which standard should be used the 2001 or 2004.

Manager Simmons suggested a break to allow the division time to research the differences with the changes proposed by Mr. Seymour.

***15 minute Break- Mike Goodrich will not be returning after the break (excused)***

Manager Simmons: The division would like to go forward with the changes made by the division on page 43-11 as well as changes made on page 43-12 regarding the NFRC referenced standards.

The division and the Oregon Department of Energy (ODOE) would like to work together on the updates provided by Mr. Seymour regarding the changes to AAMA (page 43-1) and ASHRAE (page 43-4) referenced standards, and analyze them.

Board member Caufield asked for clarification on the changes to the NFPA changes on page 43-11 to include 13-02 in addition to 13D-02 and 13R-02.

Shane Sumption, code specialist, clarified that the references to NFPA 13D and 13R on page 43-11 should be the 2007 editions

Chair Miller, clarified the withdrawn changes are AAMA on page 43-1 and ASHRAE on page 43-4. All other stated changes are going forward.

**Item #1 – M1507.3.1 Sound ratings for fans**

Board member Caufield requested clarification on changes made to M1507.3.1, these changes do not include laundry rooms and other such non-bathing rooms.

Manager Simmons confirmed these changes do not affect laundry rooms and other non-bathing rooms.

**Item #2 – M1503.3 Clearances**

Board member Caufield requested clarification on changes made to M1503.3. Is it the intention to eliminate the clearance of .25-inch air space between the hood and the underside of the cabinet with the modified language.

Mike Ewert, code specialist, confirmed the intent of the modified language is to eliminate the .25-inch air space.

**Item #3 – Include International Residential Code, as amended**

No discussion.

**Motion by Scott Caufield;** Moved to accept division recommendations for section M1507.3.1, as submitted; section M1503.3 as submitted; item 3, references to chapter 43 with corrections to the NFPA to reflect the 2007 standard; and, setting aside the changes to the NFRC, AAMA and ASHRAE.

Manager Simmons proposed an amendment to “item 3” in Mr. Caufield’s motion, to include the changes to the NFPA 13D and 13R documents made by the board today as well as the changes to the NFRC documents made today.

Board member Caufield accepted the amendments made by Manager Simmons.

**Motion carried unanimously**

**VII. New business** - None

**VIII. Announcements** - None

**IX. Adjournment**

Chair Ray Miller adjourned the board meeting at 11:00 a.m.

Respectfully submitted by,

Kaylan McAllaster  
Divisions Board Coordinator